

K Ireland

Journal Room

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A C T S
AND
CLAUSES of ACTS,
RELATING TO THE
Fisheries of this Kingdom,

FROM

The Second Year of the Reign of King *George* the
First, to the Seventeenth and Eighteenth Years
of the Reign of His present Majesty, inclusive.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee
of the late BOULTER GRIERSON, Printer to the
King's Most Excellent Majesty. 1778.

15



MUSEVM
BRITAN
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A
T A B L E
O F
C O N T E N T S.

Second Year of Geo. I. Cap. 21.

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|---|-------|
| I. RECITAL, 10 C. 1, c. 14, sect. 3.—8 G. 1, c. 7.—11 G. 2, c. 14.
31 G. 2, c. 13.—None to make or keep any Lister or Spear for
Salmon, or use Lights on Rivers, or Nets or Engines at a Mill-Tail; Pe-
nalty, Forfeiture thereof, and 20s. any one may seize them, though not
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*CLAUSES of an ACT of the Eighth Year of Geo. I.
Cap. 7.*

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|--|---------|
| I. RECITAL, of 2 G. 1. c. 21 sect. 1.—Salmon destroyed in Spawning
Time.—Salmon not to be killed or taken with Nets or Engines from 1st of
Aug. to 1st Feb.—Penalty before a Justice, Forfeiture of Nets, Engines
and Boats, and 20s. by Distress to Informer and the Poor;—in Default, to
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| II. Salmon may be taken in Rivers where known to be in Season. | 8 |
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| IV. Continuance to the End of next Session. | ib. |

Twelfth Year of Geo. I. Cap. 7.

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- I. RECITAL, of 2 G. 1, c. 21.—8 G. 1, c. 7.—Salmon-Fishery decayed by undue Practices.—After 25 April, 1726, Any one may without Warrant seize Persons disguised fishing or being near a River, and bring before a Justice, who on Conviction shall levy 40s. to the Poor and Informer,—and for want of Distress commit to House of Correction 31 Days. 11, 12
- II. None, except those having 40l. *per Ann.* Freehold or 1000l. Personal Estate above Debts, or intitled to any Fishery, shall make or have any Engines to kill Salmon, tho' no Proof of using them;—any Justice, or Person by Warrant may seize and detain the same, and all Fish found with Offenders, who shall also forfeit 40s. to the Poor and Informer,—and in Default of Distress, be imprisoned 31 Days, unless Payment sooner. 13, 14
- III. Killing 12 Salmon Fry in a Day in *February, March, April, or May*, by Angling, or any way;—Penalty 10s. as aforesaid,—or Imprisonment 10 Days, unless paid sooner. 15, 16
- IV. Persons authorized by Farmers of Fisheries by Writing, may walk on the Banks of a River (not within Orchard or Garden) to apprehend Offenders, and not liable to Prosecution. 16
- V. Persons sued for acting may plead the General Issue, and recover treble Costs. 17

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- I. No Drag or Sea Net with a Mesh less than Three Inches and a Half from Knot to Knot shall be used in fishing, except for Herrings, &c. on the Coast, &c.—No false Bottom, &c. or Net, tho' of legal Size placed behind to take small Fish,—Penalty 40s. on Summons and Conviction before a Justice of the County where Offender lives, by Distress, &c. to the Poor and Informer, on Default; Imprisonment 30 Days, if not sooner paid. 21, 22, 23
- II. To prevent Destruction of the Fry of Fish.—Oysters not be drugged for between 1 May and 20 August;—Penalty as aforesaid. 23, 24
- III. None shall buy or sell Barrels for packing White Herrings for Exportation, or packt in Barrels, unless the Staves Three-8ths of an Inch thick, free from Sap, bound with 16 Hoops, branded with the Name and Abode; examined by Officer appointed where Power to appoint Weigh-masters, and branded by him,—such Barrels sold only in publick Market;—Penalty on Buyer and Seller respectively 20s.—and on Persons in whose Custody found; recovered and applied as aforesaid. 24, 25, 26
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Thirty-first Year of Geo. II. Cap. 13.

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II.	Owner of Salmon-Fishery, or any Person who between 12 Aug. and 1 Jan. kills Salmon in any River, or accessory thereto, on Confession or Oath of 2 Witnesses before a Justice of the County, forfeits 40s. every Salmon, by Distress, &c. on Warrant;—but not to exceed 20l. on one Conviction:—using a Light in any River, &c. by Night, with Intent to take Salmon, Penalty 5l. on Conviction, as aforesaid, to the Discoverer, the Light, Evidence of Intent, unless the contrary appears, for want of Distress, imprisoned, not above 6, nor under 3 Months.	33, 34
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X.	General Issue may be pleaded by Persons sued for acting;—Costs on Non-suit, &c.	37

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Third Year of Geo. III. Cap. 24.

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- I. 20s. *per* ton Bounty out of the Revenue, to Owners of Busses and Vessels built in Great-Britain or Ireland, for fishing on these Coasts, to be decked, built after Commencement of this Act, not under 20 Tons, no Bounty above 100 Tons, to proceed from an Irish Port, first visited, examined, and admeasured by the Revenue Officer, and certified to the Commissioners,—Oath before Collector by Owner or Agent and Master at Foot of the Certificate of real Intention to fish, well manned and accounted, on these Coasts, or within 35 Leagues, and keep a Journal, and Account of Fish taken, on producing the Journal at End of each Voyage attested on Master's Oath, Owner intitled to said Bounty, at End of fishing Season. 41, 42, 43
- II. Nets not shot for Herrings in the Day, Penalty 5l. on Oath of 2 Witnesses,—to Parish Poor and Prosecutor. 43, 44
- III. Like Penalty fishing from Sunset on Saturday till after Sunset on Sunday. 44
- IV. Partner in Fishery not paying Proportion called for by the Majority, on 30 Days Notice in Gazette, so much of his Share may be sold;—the acting Majority may sue in Name of the Company or Governor on written Notice if not paid in a Month after due, as if bonds passed by Subscribers. 44, 45
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XXXVII. Persons sued for any Thing done in Pursuance of this Act may plead the General Issue, and recover treble Costs.	ib.

Fifteenth and Sixteenth of Geo. III. Cap. 19.

I. After Jan. 1, 1776, Bounties to be given to Vessels fitted out from Ireland for the Newfoundland Fishery, Such Vessels to be British built, and owned by His Majesty's Subjects in Great-Britain or Ireland, three-fourths of the Crew to be His Majesty's Subjects, and qualified as by Act 10 & 11 W. 3. fitted out from some Port in Ireland after 1st January 1776, and in each succeeding Year, and having caught a Cargo of no less than 10,000 Fish, and land the same at one of the Ports S. E. of Newfoundland, on or before 15th July, and make one or more Trips, and return with another Cargo to same Port; 25 of said Ships first arriving at Newfoundland with a Cargo of 10,000 Fish, shall proceed again, and return to said Island with another Cargo, intitled to 40l. each; 50 Vessels next in Order of Time, 20l. each; 50 other Vessels next in Order of Time, 10l. each.—Certificates to be produced to the Collector of Customs from the Governor of Newfoundland, of the Qualification of Ships, &c. Masters and Mates to make Oath;—Collectors of Customs to pay the Bounties.

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II. From 1st. Jan. 1776, during said 11 Years, it may be lawful to import into this Kingdom, and export out of the same, Train-Oil, &c. taken by Crews of Vessels belonging to and fitted out from Great-Britain, Ireland, Guernsey, Jersey, or Man;—Said Crews to be as before-mentioned, without paying any Custom, or other Duty for the same. 113

Seventeenth and Eighteenth Years of Geo. III.

Cap. 18.

I. RECITAL, of a valuable Whale Fishery having been discovered, and that the Commons of Ireland in Parliament assembled, did on 26th March, 1776, come to certain Resolutions, for the Encouragement thereof by Bounties; &c. as His Majesty should think proper. Enacted, that from 1st. Day of August, 1778; in Lieu of the Bounties so granted by His Majesty, the Bounties following shall be paid, viz. Every British or Irish Vessel, that shall within Time limited, proceed from any Port in Ireland on the Whale Fishery, to Seas South of the Latitude 44 Degrees North, navigated by Crews, whereof the Captain and three-fourths of the Mariners shall be British Subjects, before she proceed on such Voyage, or be intitled to the Benefit of this Act, shall be visited by proper Officers of Revenue belonging to such Port, who shall take an Account of Tonnage thereof, and certify his Admeasurement, to Commissioners of Revenue; and if such Ship shall appear to be properly equipped, and if it further appear by Oath of Owner or Owners, that it is their firm Purpose that such Ship as soon as Licence granted, proceed on a Voyage to the Southward of 44 Degrees North Latitude, and use utmost Endeavour to take Whales, &c. and on no other Design in such Voyage, and to import the Whale-Fins, &c. into this Kingdom, and if Master become bound in a Penalty equal to treble the Bounty, any Three or more of the Commissioners of Revenue on receiving such Certificates & Oaths, certified by Collector and Comptroller of such Port, may grant to Owners of such Ships, Authority to proceed on such Voyage. 117—121

II. Every Ship of 200 Tons, shall have on Board 40 Fishing Lines, 40 Harpoon Irons 4 Boats with 6 Men to each Boat, besides Master and Surgeon; with 6 Months Provisions, every Ship of larger Burthen an Increase of 6 Men, 1 Boat, 10 Lines, and 10 Harpoon Irons for every 50 Tons above 200; with Provisions in Proportion, and an Apprentice for every 50 Tons. 121

III. On Return of Ship to the Port designed, Officers of Revenue to examine her Condition and lading, as also the real Tonnage of said Ship, & take an Account of the Persons on Board, distinguishing those more immediately employed and certify the same; Master and Mate to make Oath before Collector & Comptroller, on the Back, or annexed to the Licence granted, which they are to deliver up, that they did in pursuance thereof 121

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- thereof fulfil the proper requisites—Schedule, &c. to be transmitted to Chief Commissioners of Revenue, who being satisfied, shall cause Payment to be made of the Bounty following, for every Ship proceeding on the said Fisheries from 1st. of Aug. 1778, to 1st. of Aug. 1784, 40s. per Ton; and every Ship proceeding on said Fisheries from 1st. of Aug. 1784, to 1st. of Aug. 1790, 30s. per Ton. 122, 123
- IV. No Person intitled to Bounty for any Ship which shall sail after 1st. of Aug. 1778, unless she proceeds directly on being surveyed, on or before the 1st. of October following, and shall continue with her Crew in said Seas, endeavouring to catch Whales, &c. not to depart from thence before 1st. of March, unless forced by Necessity, to be proved on Oath of Master and Mate before Collector, &c. who shall transmit the same with Schedule &c. to Commissioners of Revenue. 123, 124
- V. Commissioners of Revenue at beginning of every Session to lay before Parliament, an Account of Number of Ships employed in Fishing, their Names and Burthens, where fitted out and where discharged, and Quantity of Oil imported by each. 124
- VI. Owners of Ships under 200 Tons Burthen, intitled to Bounty in Proportion, as Ships of 200 Tons. 125
- VII. Ship above 400 Tons not intitled to larger Bounty than one of 400 Tons. ib.
- VIII. Nothing herein contained shall oblige Owner of any Ship above 400 Tons to equip her otherwise than a Ship of 400 Tons. ib.

Seventeenth and Eighteenth Years of Geo. III.

Cap. 19.

- I. Preamble.—Enacted, that from 24 June, 1778, no Person not qualified, shall keep any Instrument for killing of Fish, (angling Rods and Lines excepted) under a Penalty of forfeiting all such Instruments. 129, 130
- II. No Person shall kill any of the Fish herein mentioned, without Consent of the Owner;—Penalty not less than 5l. or more than 20l. 131
- III. Penalty on Persons fishing by Night with Lights. 132
- IV. No Person to throw any poisonous or noxious Substance into any River, under a Penalty of 5l. 133
- V. No Person shall kill any Trout from 1st Oct. to 1st Jan. under a Penalty of 5l. ib.
- VI. Proprietors of Fisheries on River Bandon shall have Liberty from 20 March to 20 Oct. in each Year, to take Salmon Fish. 134
- VII. No Person shall fish with Draught or other Nets in Loughneagh, Lougherist, &c. and the Rivers flowing thereto and therefrom, from 12 Aug. to 1 Jan. in any Year; Implements forfeited, and 5l. 135
- VIII. Penalty on the Proprietors of Mill-streams, &c. obstructing by Dams, &c. Water Courses, for taking Fish. ib.
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XII. Penalty of 5 <i>l</i> . on Persons barking of Trees for curing of Nets.	ib.
XIII. Any Person convicted of any Offence against this Statute, may appeal to General Quarter Sessions, on giving proper Security for his Appearance.	138
XIV. No Penalty on Fishermen lawfully authorized to fish.	ib.
XV. If any Person shall be sued or prosecuted for any Matter done in Pursuance of this Act they may plead the General Issue.	139
XVI. This Act to continue in Force from 24 June, 1778, for 7 Years, and till the End of the next Session.	ib.

Seventeenth and Eighteenth Years of George III.

Cap. 20

- I. Preamble.**—Enacted, That it shall be lawful for the Inhabitantes of this Kingdom to take and cure Herrings, &c. and shall not be hindered by any Person whatsoever.
- II.** No Person to fish for Herrings contrary to the Directions mentioned in this Act.
- III.** Difficulties attending the obtaining Bounty on Exportation of Fish, on sufficient Proof such Fish was caught on the Coasts of this Kingdom, and Master making Oath said Fish is not intended to be reloaded, &c. and Owner of said Fish becoming bound with a Surety in treble the Value of Bounties not to reload the Fish intended to be exported in any Port in Ireland, unless in case of Distress, and upon Performance of these Requisites the Owner in 3 Months after shall receive the Bounties payable thereon, from the Collector of the Port whence exported.
- IV.** Any Person having charge of a Vessel and suffering Fish to be reloaded, unless in case of Distress, shall forfeit treble the Value of such Fish, and every Person assisting 10*l*.
- V.** No Owner intitled to Bounty for Fish, unless first landed in, & afterwards exported from this Kingdom.
- VI.** Penalty of 20*l*. shall be paid by every Person who shall shoot or wet any Net for taking of Herrings in the Day-time, or be assisting in the same;—if Offender refuse to pay such Penalty, and no Goods found sufficient to answer the same, Justice of Peace may commit such Offender to Gaol for 6 Months, or until he pays the Penalty.
- VII.** Persons executing Justices Warrant, may board any Vessel and bring Offenders to Punishment;—Magistrates, &c. to use their utmost Endeavours to prevent fishing for Herrings in the Day-time, &c.
- VIII.** Disputes arising between Owners and Persons employed in Fishing, on Account of Wages, &c. which does not exceed 5*l*. and Complaints of Owners against the Hands employed on Board said Vessels, shall be determined.

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terminated by any Justice of the Peace of the County where such Dispute shall arise.	148
IX. Revenue Officer impowered by Commissioners may go on Board any Ship, &c.—and continue, till such Vessel be unladen and again reloaded.	149
X. Bounties granted by 3 Geo. 3, cap. 24, sec. 5.—said Bounties shall be paid in Proportion upon all Herrings and Mackarel exported in Casks of a lesser Size than 32 Gallons.	150
XI. No Vessel to be entered at any Customhouse, unless the Name and Port She belongs to, be painted on the Transom and Quarters; and also upon Boats, &c.—Penalty 5l.	150, 151
XII. At the Entrance of any Vessel the Collector or Comptroller shall deliver a Blank Journal-Book, to Master, &c. in which shall be entered an Account of all the Proceedings of said Vessels, Soundings, &c.	151
XIII. Every Vessel at the Time of entering shall have on Board Two Half-Barrels, to measure Herrings with.	152
XIV. Boats to have Name of Skipper painted on Stern, Oars, and Buoys,—registered,—Penalty 40s.	ib.
XV. No Vessel shall throw out her Ballast on any of the Places herein mentioned, except at such Places as shall be directed by the Tide Surveyor of Ballyrain;—Penalty 5l.	153
XVI. No Person to dredge for Oysters in the Lough of Carlingford, &c. between 1st Saturday in Mar. and 1st Monday in November;—Net, &c. forfeited, with 40s.	153, 154
XVII. Penalties imposed by this Act (except where otherwise directed) may be recovered before any Justice where the Offence is committed.	154

CLAUSE of an ACT of Seventeenth and Eighteenth Years of Geo. III. Cap. 36.

RECITAL, of 3 Geo. 3, cap. 24.—5 Geo. 3, cap. 7.—and 7 Geo. 3, sec. 10.—continued to 1 Jan. 1790, and to the End of next Session.

A N
A C T

T O

Prevent the Destruction of Salmon-Fry,
and better Preserving the Salmon-Fish-
ing in this Kingdom.

Anno Regni secundo Georgii Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee of
the late BOULTER GRIERSON, Printer to the King's
Most Excellent Majesty. 1778.

1773

A
C
T

For the better Regulation of the
Trade and Commerce of the
City of Dublin



DUBLIN
Printed by the Association of Booksellers
at the Dublin Press, in the Strand
M.D.CCLXXIII. 1773

Anno Regni secundo

G E O R G I I Regis.

A N

A C T

T O

Prevent the Destruction of Salmon-Fry,
and better preserving the Salmon-Fishing
in this Kingdom.

C H A P. XXI.

FORASMUCH as by many undue Practices, the
Salmon-Fishing in this Kingdom is most ex-
treamly decayed, chiefly by killing the Spawn-
ing Fish in the Months of *August, September, Octo-
ber, November, December* and *January*, the Time of
Spawning, by Nets, Lights, Spears, and by Millers
and other Persons putting Codd-Nets, Baskets, and
other Engines, at their Mill-Tails, and taking the
young

C H A P.
XXI.

10 C. 1. c. 14.
11 G. 1. c. 7.
11 G. 2. c. 14.
31 G. 2. c. 13.

A 2

CHAP. young Salmon-Fry, as they are endeavouring to go
XXI. down to Sea in the Months of *March*, *April*, and

May; be it therefore enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That no Person whatsoever, shall or may, from and after the Twenty-fourth Day of *June*, which will be in the Year One thousand seven hundred and sixteen, make, have, or keep any Lister or Spear for killing of Salmon, or make Use of any Light upon any Fresh Water River above the Flowing of the Tide, nor shall make Use of any Nets or other Engines whatsoever, fit for taking Salmon-Fry, at any Mill-Tail, and that the Person or Persons offending herein, shall for every such Offence, forfeit the Sum of Twenty Shillings, to be levied and disposed of in Manner hereafter directed, as also such Nets employed or made Use of contrary to the Meaning of this Act; and that it shall be lawful for any Person, without other Warrant than this Act, to seize any Lister or Spear proper for killing Salmon, or Wheel-Basket or Engine, proper to take Salmon-Fry, although the same hath not been made Use of to that Purpose, and to carry the same before some Justice of the Peace of the County where the same shall be seized, who is and are hereby authorized and required to destroy the same.

None to make or keep any Lister or Spear for Salmon, or use Lights on Rivers, or Nets or Engines at a Mill-Tail; Penalty, Forfeiture thereof, and 20s.

any one may seize them, though not used,

carried before a Justice, and destroyed.

Offenders may be seized without Warrant, and brought before a Justice; II. And be it further enacted by the Authority aforesaid, That it may be lawful to and for any Person, without other or farther Warrant than this Act, to seize and bring before One or more Justice or Justices.

Justices of the Peace, every Person whom he shall find offending, contrary to this Act, who are hereby empowered, upon Conviction, by the Testimony of one or more Witnesses, of any Person offending in any of the aforementioned Particulars in this Act, to issue his or their Warrant or Warrants, for the raising the several aforementioned Penalties, upon the Goods and Chattels of the respective Offenders, which Penalties, when levied, are to be paid to the Informer; and in Case the said Person or Persons so offending shall refuse, or not be able to pay the said Fine, by this Act imposed on the respective Offenders, that then in such Case, the said Justice or Justices may, and shall by Warrant under his or their Hands and Seals, commit such Person to the House of Correction or Workhouse, for any Time not exceeding One Month, there to remain at Hard Labour, and have due Correction according to Law, or to be publicly whipped, in the next Market-Town, the next Market-Day.

Penalties to
Informer;

on Default
of Payment,
committed or
whipt.

CLAUSES

Anno Regni octavo

G E O R G I I Regis.

C L A U S E S

O F A N

A C T

F O R

The further Amendment of the Laws, in
Relation to Butter and Tallow-Casks,
Hides, and other Commodities of this
Kingdom, and for preventing the Destruction
of Salmon.

C H A P. VII.

CHAP.
VII.

— A N D whereas in and by an Act passed in
the Second Year of His present Majesty's
Reign, intituled, *An Act to prevent the Destruction of
Salmon-Fry, and better Preserving the Salmon-Fishing
in this Kingdom*, it is enacted, That no Person what-
soever shall or may make, have, or keep any Lister
or Spear for killing of Salmon, or make Use of any
Light upon any Fresh Water River above the Flowing
of

Recital of
2 G. 1. c. 21.
sect. 1.
12 G. 1. c. 7.
11 G. 2. c. 14.
31 G. 2. c. 13.

of the Tide, nor shall make Use of any Nets or other Engines whatsoever fit for taking Salmon-Fry, at any Mill-Tail under certain Forfeitures and Penalties in the said Act mentioned; notwithstanding which Act, the Salmon-Fishing in this Kingdom is greatly decayed, chiefly by killing the Spawning Fish with Nets or other Engines in the Months of *August, September, October, November, December, and January*, being the Time of Spawning; For Remedy whereof, be it enacted by the Authority aforesaid, That from and after the Twenty-fifth Day of *March*, One thousand seven hundred and twenty-two, no Person or Persons whatsoever, shall or may between the First Day of *August*, and the First Day of *February*, in any Year, kill or take any Salmon with Nets or other Engines; and if any Person or Persons do or shall offend herein and be thereof lawfully convicted by the Oath of One or more credible Witness or Witnesses before any Justice or Justices of the Peace of the County where such Offence shall be committed, which Oath such Justice or Justices of the Peace are hereby impowered and required to administer, every such Person and Persons shall forfeit and lose such his Nets and other Engines, and also such Boat or Boats with the Tackle thereto belonging, as he or they shall make Use of in or about the killing or taking any Salmon contrary to this Act, and shall likewise forfeit and pay the Sum of Twenty-Shillings for every such Offence, to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of the said Justice or Justices of the Peace, which said several Forfeitures and Penalties shall go and be disposed of, one Moiety to the Informer, and the other

Moiety

CHAPTER
VII.

Salmon destroyed in Spawning Time.

Salmon not to be killed or taken with Nets or Engines from 1st Aug. to 1st Feb.

Penalty before a Justice, Forfeiture of Nets, Engines and Boats.

and 20s. by Distress to Informer and the Poor.

C H A P. Moiety to the Poor of the Parish where such Offence shall be committed; and in Case a sufficient Distress cannot be had whereout to levy and raise the said Sum of Twenty Shillings, that then the said Justice or Justices of the Peace shall and may, by Warrant under Hand and Seal, commit such Person or Persons to the House of Correction or Work-house, for any Time not exceeding Three Calendar Months, there to remain at Hard Labour, and to have due Correction, according to Law.

*in Default,
to House of
Correction 3
Months.*

*Salmon may
be taken in
Rivers where
known to be
in Season.*

II. Provided always, That nothing herein contained shall extend, or construed to extend, to prohibit the Taking or Killing of Salmon in Rivers where such Fish shall be known to be in Season at the Time of taking such Fish.

*Persons sued
for executing
this Act, may
plead General
Issue, &c.
and recover
treble Costs.*

III And be it further enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested or troubled for putting in Execution any of the Powers contained in this Act, or for doing any Matter or Thing pursuant hereunto, such Person or Persons shall and may plead the General Issue, not guilty, and give the Special Matter in Evidence, and if the Plaintiff or Plaintiffs shall be non-suited, or Judgment shall be given against him or them upon Demurrer, or a Verdict shall pass for the Defendant, such Defendant shall have his, her, or their treble Costs, to be recovered in such Manner as where by Law Costs are given to Defendants.

*Continu-
ance to the
End of next
Session.*

IV. Provided always, That this Act shall continue and be in Force to the End of the next Sessions of Parliament, and no longer.

A N

A N
A C T
F O R

The better Preserving the Salmon-Fishery
of this Kingdom.

Anno Regni duodecimo Georgii Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee
of the late BOULTER GRIERSON, Printer to the
King's Most Excellent Majesty. 1778.

A
C
T

FOR

The better Theatring the Sins of the
of the Kingdom.

Act of the Parliament of Great Britain



DUBLIN:

Printed by the Brothers of David Hay, Agents
of the British Government, Printer to the
King, at the Royal Exchange, 1773.

Anno Regni duodecimo

G E O R G I I Regis.

A C T

F O R

**The better preserving the Salmon-Fishery
of this Kingdom.**

C H A P. VII.

FOrasmuch as by many undue Practices the Salmon-Fishery in this Kingdom is extreamly decayed, and many idle and disorderly Persons go in great Numbers disguised with their Faces blacked, or otherwise disfigured, and with Lights, Loops, Spears, and other Instruments, kill great Quantities of Salmon in such Places in Fresh-Water Rivers as they are preparing to leave their Spawn in ; to prevent

**C H A P.
VII.**

2 G. 1, c. 21.
8 G. 1, c. 7.
11 G. 2, c. 14.
31 G. 2, c. 13.

Salmon-
Fishery de-
cayed by un-
due Practices.

CHAP. VII. which pernicious Practices for the future, be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from from and after the Twenty-fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty-six, it shall and may be lawful to and for any Person or Persons, without other or further Warrant than this Act, to seize and bring before One or more Justice or Justices of the Peace of the respective County or Counties where such Offence or Offences shall be committed, such Person or Persons as he or they shall find fishing with his or their Face or Faces blacked or disguised; and also such Person or Persons as shall be found in, upon, or near any River or Rivers, disguised with his or their Face or Faces blacked, or otherwise disguised, though such Person or Persons so disguised or disguised be not actually Fishing at the Time of such Seizure or Seizures; which Justice or Justices of the Peace, upon Conviction of such Offender or Offenders, by the Oath of One or more credible Witness or Witnesses, which Oath such Justice or Justices of the Peace is, and are hereby impowered to administer, shall and may by his and their Warrants under his or their Hands and Seals, levy by Distress and Sale of the Goods of such Offender or Offenders, the Sum of Forty Shillings, One Moiety whereof shall be given to the Informer or Informers, and the other Moiety to the Poor of the Parish where such Offence shall be committed; and in Case no sufficient Distress or Distresses can be had whereout to levy and raise the said Sum

After 25
April, 1726,
Any one
may without
Warrant seize
Persons dis-
guised fishing
or being near
a River, and
bring before a
Justice,

who on Con-
viction shall
levy 40s. to
the Poor and
Informer,

and for want
of Distress
commit to
House of Cor-
rection 31
Days.

Sum of Forty Shillings, that then the said Justice or CHAP. VII.
Justices of the Peace shall and may by Warrant under
his or their Hands and Seals commit such Person or
Persons to the House of Correction or Workhouse,
for any Time not exceeding Thirty-one Days, there
to remain at hard Labour, and to have due Correction
according to Law.

II. And be it further enacted by the Authority None, except
afore said, That from and after the Twenty-fifth Day those having
of April, in the Year of our Lord One thousand 40l. per Ann.
seven hundred and twenty-six, no Person or Persons Freehold or
whatsoever, except such as have an Estate of Free- 1000l. Personal
hold in his or their own, or their Wives Right, of Estate
the clear yearly Value of Forty Pounds per Annum, above Debts,
at the least, or a Personal Estate of the Value of One or intitled to
thousand Pounds at the least, over and above all Debts any Fishery,
by him owing, and except such Person or Persons as shall make or
is, are, or shall be intitled to any Fishery or Fisheries have any En-
within this Kingdom, his or their Farmer or Farmers, gines to kill
and such Person or Persons as are or shall be lawfully Salmon, tho'
employed in the same, shall or may for him or them- no Proof of
selves, or as Servant or Servants to any Person or using them;
Persons who shall not be seized or possessed of a
Real or Personal Estate to the Value aforesaid, or in-
titled to any Fishery or Fisheries as aforesaid, make,
have, or keep any Gaff or Gaffs, Spear or Spears, Lifter
or Lifters, Loop or Loops, Net or Nets, or any other
Engine or Engines, Instrument or Instruments, com-
monly made Use of to take or kill Salmon or Salmon-
Fry, although no Proof can be made that he or they
did apply them, or any of them, to such Use or Uses, on
Pain that all and every such Gaffs, Spears, Lifters,
Loops,

C H A P. Loops, and other Engine and Instrument, so kept

VII. contrary to this Act, as also all Fish found with

any Justice, or Person by Warrant may seize and detain the same, and all Fish found with Offenders, them, or any of them, shall and may be seized or taken away by any Justice or Justices of the Peace of the respective County or Counties where the same shall be kept or found, or by any Person or Persons authorized thereunto, by Warrant under the Hand and Seal of such Justice or Justices of the Peace, and shall and may be kept and detained by him or them to his and their own Use; and every such Person so having and keeping any such Gaffs, Spears, Listers, Loops, Nets, or any other such Engine or Instrument contrary hereunto, and being thereof convicted upon his Appearance or Default after Summons, before One or more Justice or Justices of the Peace of the County or

who shall also forfeit 40s. to the Poor and Informer,

and in default of Distress, be imprisoned 31 Days, unless Payment sooner.

Place where such Offence shall be committed, on the Oath of One or more credible Witness or Witnesses, which Oath such Justice or Justices of the Peace is, and are hereby impowered to administer, shall for every such Offence, forfeit and lose the Sum of Forty Shillings, to be levied by Warrant under the Hand and Seal of such Justice or Justices of the Peace before whom such Offender shall be convicted, by Distress and Sale of the Goods of such Offender; the one Moiety thereof to the Informer who shall inform and prosecute for the same, and the other Moiety to go and be disposed of to the Use of the Poor of the Parish where such Offence or Offences shall be committed; and in Case no sufficient Distress or Distresses can or may be had, whereout to levy and raise the said Sum of Forty Shillings, that then the said Justice or Justices of the Peace shall and may, by Warrant under his or their Hands and Seals, commit such

such Person or Persons to the Common Gaol of the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Thirty-one Days, unless such Offender shall sooner pay the Penalty so forfeited, and upon such Payment to be discharged.

C H A P.
VII.

III. And be it further enacted by the Authority
afore said, That from and after the Twenty-fifth Day
of *April*, in the Year of our Lord One thousand se-
ven hundred and twenty-six, if any Person or Per-
sons during the Months of *February, March, April*
or *May*, in any Year, shall in any one Day take or
kill to the Number of Twelve Salmon-Fry, whether
it be by Angling, or any other Way whatsoever, and
such Person or Persons shall be thereof convicted
upon his or their Appearance or Default after Sum-
mons, by the Oath of one or more credible Witness
or Witnesses, before any one or more of His Majes-
ty's Justices of the Peace of the County, City, or
Town Corporate where such Offence shall be com-
mitted, every such Person shall forfeit the Sum of
Ten Shillings; and it shall and may be lawful, to and
for such Justice or Justices of the Peace by Warrant
under his or their Hands and Seals, to levy the said
Sum of Ten Shillings by Distress and Sale of the
Offenders Goods, one Half thereof to be for the Use
of the Informer, and the other to the Poor of the
Parish where the said Offence shall be committed;
and for want of sufficient Distress, it shall and may
be lawful for such Justice or Justices, by Warrant
under his or their Hands and Seals, to commit such
Offender to the Common Gaol of the County, City

Killing 12
Salmon Fry in
a Day in Fe-
bruary, March,
April, or May,
by Angling,
or any way.

Penalty 10s.
as aforesaid.

or Imprison-
ment 10 Days,
unless paid
sooner.

C H A P. Place where such Offence shall have been committed,
VII. there to remain and be kept for any Time not exceeding Ten Days, unless such Offender shall sooner pay the Penalty so forfeited, and upon such Payment to be discharged.

IV. And whereas such Persons as are employed by Persons who are intitled unto, or Farmers of any Fishery or Fisheries in this Kingdom, find it necessary, in Order to preserve the Salmon in Spawning-Time, to go and watch on the Banks of Rivers in which they usually Spawn, in Order to apprehend such Person and Persons as shall endeavour to take and destroy such Salmon, but are often threatened with Actions at Law and Indictments by the Proprietor or Proprietors, Possessor or Possessors of the Bank or Banks of such River or Rivers, when such Person or Persons attempt, for the Purposes aforesaid, to go upon the same; be it enacted by the Authority aforesaid, That it shall and may be lawful to and for such Person or Persons so employed as aforesaid, to walk upon the Bank and Banks of such River and Rivers as aforesaid, not lying within any Orchard or Garden, in Order to apprehend such Person or Persons as shall offend against this or any other Act heretofore made in this Kingdom for the Preservation of the Salmon-Fishing thereof; and that such Person or Persons so walking, for the Purposes aforesaid, on any Bank or Banks of any River or Rivers, shall not be liable to any Action at Law, Indictment, or other Prosecution for so doing, so as the Person so employed be authorized by Writing under the Hand of the Owner or Farmer of such Fishery.

Persons authorized by Farmers of Fisheries by Writing, may walk on the Banks of a River (not within Orchard or Garden) to apprehend Offenders, and not liable to Prosecution.

V. And

V. And be it further enacted by the Authority
aforesaid, That if any Person or Persons shall be sued,
molested, or troubled, for putting in Execution any
of the Powers contained in this Act, or for doing any
Matter or Thing pursuant hereunto, such Person or
Persons shall and may plead the General Issue, and
give the Special Matter in Evidence; and if the
Plaintiff or Plaintiffs shall be nonsuited, or Judgment
shall be given against him or them by Default, or upon
Demurrer, or a Verdict shall pass for the Defendant,
such Defendant shall have his, her, or their Treble
Costs, to be recovered in such Manner as in other Ca-
ses where by Law Costs are given to Defendants.

Persons sued
for acting may
plead general
Issue, and re-
cover treble
Costs.

NA

A N
A C T

FOR

The further Encouragement of the
Fishery of this Kingdom.

Anno Regni septimo Georgii II. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee of
the late BOULTER GRIERSON, Printer to the King's
Most Excellent Majesty. 1778.

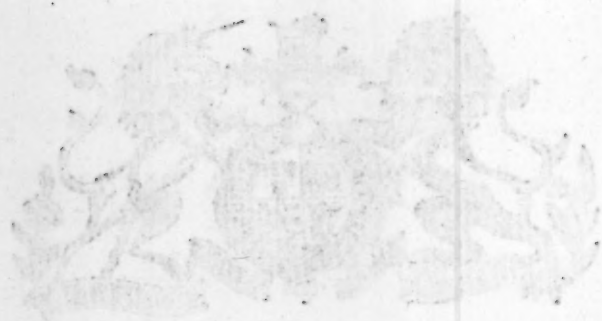
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XL

A. C. T.

The History of the Kingdom

of Great Britain



By Sir Isaac Newton

Anno Regni septimo

GEORGI II. Regis.

A N

A

C

T

F O R

The further Encouragement of the
Fishery of this Kingdom.

C H A P. XI.

WHEREAS the Seas about this Kingdom
have heretofore been plentifully stored with
Fish, which of late Years have been greatly
diminished by Methods of Fishing, which destroy the
Spawn and Fry of Fish: And whereas it will highly
conduce to the Publick Weal of this Kingdom, to en-
courage the Fisheries thereof; be it enacted by the
King's

C H A P.
XI.

CHAP. King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

and Commons in this present Parliament assembled, and by the Authority of the same, That from and after

the Twenty-ninth Day of September, in the Year of our Lord One thousand seven hundred and thirty-four, no Drag-net or other Sea-Net, which hath a Mesh of less than three Inches and a Half from Knot to Knot, shall be made Use of in catching any Kind of Fish (except Herrings, Pilchards, Sprats, Shrimps, and Prawns) upon any Part of the Coast of this Kingdom, or within any of the Bays, Harbours, Rivers, or Creeks thereof, nor shall any false or Double-bottom Cod or Pouch, or any other Net though of legal Size, be placed upon or behind the other, in order to take and destroy small Fish; and if any Person or Persons shall, from and after the said twenty-ninth Day of September, One thousand seven hundred and thirty-four, make Use of any Drag-Net or other Sea-Net, which has a Mesh of less than three Inches and a Half from Knot to Knot, in catching any Kind of Fish (except Herrings, Pilchards, Sprats, Shrimps and Prawns) on any Part of the Sea-Coasts of this Kingdom, or within any of the Bays, Harbours, Rivers, or Creeks thereof, or shall place any false or Double-bottom Cod or Pouch, or any other Net, though of legal Size, upon or behind any other, in order to take and destroy small Fish, such Person or Persons so offending, and being thereof convicted, upon his or their Appearance or Default, after Summons, before one or more Justice or Justices of the Peace of the County or Place where such Person or Persons so offending, hath, or have their usual Place of Abode, by

No Drag or Sea net with a Mesh less than 3 Inches and a Half from Knot to Knot shall be used in fishing, except for Herrings, &c. on the Coast, &c.

No false Bottom, &c. or Net, tho' of legal Size placed behind to take small Fish,

Penalty 40s. on Summons and Conviction before a Justice of the County where Offender lives, by Distress, &c.

by the Oath of one or more credible Witness or Witnesses, which Oath such Justice and Justices of the Peace, is and are hereby impowered to administer, or by Confession of the Party offending, shall, for every such Offence, forfeit and lose the Sum of Forty Shillings, to be levied by Warrant under the Hand and Seal of such Justice or Justices of the Peace, before whom such Offender shall be convicted, by Distress and Sale of the Goods of such Offender, the one Moiety thereof to the Person who shall inform and prosecute for the same, and the other Moiety to go and be disposed of to the Use of the Poor of the Parish where such Offender lives; and in Case no sufficient Distress or Distresses can or may be had whereout to levy the said Sum of Forty Shillings, that then the said Justice or Justices of the Peace, shall and may, by Warrant under his or their Hands and Seals, commit such Person or Persons to the Common Gaol of the County or Place where such Offender shall be convicted, there to remain for any Time not exceeding Thirty Days, unless such Offender shall sooner pay the Penalty so forfeited, upon Payment whereof he is to be forthwith discharged.

CHAP.
XI.

to the Poor
and Informer,

on Default,
Imprisonment
30 Days, if
not sooner
paid.

II. And whereas the drudging for Oysters in the Months of *May, June, July, and August*, doth destroy the Spawn and Fry of Fish; for Remedy whereof, be it enacted by the Authority aforesaid, That from and after the Twenty-ninth Day of *September*, in the Year One thousand seven hundred and thirty-four, no Person or Persons whatsoever, shall drudge for Oysters within this Kingdom, or in any Part of the Sea adjoining to the same, between the First Day of *May*,
To prevent
Destruction of
the Fry of
Fish.
Oysters not
to be drugged
for between
1 May and
20 August;

C H A P. *May, and the Twentieth Day of August, in any Year;*
XI. and if any Person or Persons shall offend herein, and
 be thereof lawfully convicted upon his or their Ap-
 pearance, or Default after Summons, by the Oath of
 one or more credible Witness or Witnesses, before any
 Justice or Justices of the Peace of the County, or
 Place where such Offender hath his usual Place of
 Abode, which Oath such Justice or Justices of the
 Peace are hereby impowered and required to ad-
 minister, every such Person or Persons shall, for every
 such Offence, forfeit and lose the Sum of Forty Shil-
 lings, to be levied by Warrant under the Hand and
 Seal of such Justice or Justices of the Peace, before
 whom such Offenders shall be convicted, by Distress
 and Sale of the Goods of such Offender, the one
 Moiety thereof to go to the Person or Persons who
 shall inform and prosecute for the same, and the other
 Moiety to go and be disposed of to the Use of the
 Poor of the Parish where such Offender lives; and in
 Case no sufficient Distress or Distresses can or may
 be had whereout to levy and raise the said Sum of For-
 ty Shillings, that then the said Justice or Justices of
 the Peace, shall and may, by Warrant under his or
 their Hands and Seals, commit such Person or Persons
 to the Common Gaol of the County or Place where
 such Offender shall be convicted, there to remain for
 any Time not exceeding Thirty Days, unless such
 Offender shall sooner pay the Penalty so forfeited,
 upon Payment whereof he is to be forthwith dischar-
 ged.

None shall
 buy or sell
 Barrels for

III. And whereas a great Abuse is committed in
 making of Barrels for White Herrings of insufficient
 Timber

Timber or Staves, to the very great Prejudice of the Trade of this Kingdom; be it enacted by the Authority aforesaid, That from and after the Twenty-ninth Day of *September*, in the Year of our Lord One thousand seven hundred and thirty-four, no Person or Persons shall buy or sell any Barrel or Barrels for packing of White Herrings for Exportation, or shall pack up Herrings in any Barrel or Barrels for Exportation, unless the same be made of Staves not less than Three Eighths of an Inch in Thickness, and free from Sap, and each Barrel bound with sixteen sufficient Hoops, and branded with the Maker's Name, and the Place of his Abode; and before such Barrel or Barrels shall be examined by a publick Officer to be appointed for that Purpose, by every City, Town-Corporate, or Place which are already impowered by Law to choose or appoint Weigh-Masters, which Officer to be appointed, or his Deputy, shall and is hereby impowered and required to examine such Barrels, and upon finding them conformable to this Act, the said Officer or his Deputy is hereby required and directed to brand on the Head, Side, and Bottom of such Barrel or Barrels, the first Letter of his Christian Name, and his Sir-name at Length, with the Name of the City, Town-Corporate, or Place where such Barrel or Barrels shall be examined as aforesaid, which Barrel or Barrels so branded as aforesaid, shall be only sold in some publick Market of this Kingdom; and in Case any Person or Persons shall buy or sell any Barrel or Barrels not branded as aforesaid, or in any other Place, than in some Market-Town of this Kingdom, contrary to the true In-

D

tent

packing white
Herrings for
Exportation,
or pack in
Barrels, unless
the Staves 3-
8ths of an Inch
thick, free
from Sap,
bound with
16 Hoops,
branded with
the Name and
Abode,

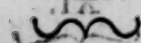
examined by
Officer ap-
pointed where
Power to ap-
point Weigh-
masters, and
branded by
him,

such Barrels
sold only in
publick Mar-
ket;

Penalty on
Buyer and
Seller respec-
tively 20s.

C H A P.

XI.



and on Per-

sons in whose

Custody

found ;

recovered and

applied as

afore said.

tent and Meaning of this Act, or shall pack, or cause to be packed up, any Herrings in any Barrel or Barrels made contrary to the Directions of this Act, or not branded as is hereby directed, the Buyer and Seller shall respectively, for every Barrel so sold or bought, forfeit the Sum of Twenty Shillings, and the Person or Persons in whose Custody any Herrings are found packed up for Exportation, in any Barrel or Barrels contrary to the Directions of this Act, shall forfeit the Sum of Twenty Shillings; which several Forfeitures shall be recovered and applied in such Manner, and to such Uses as the other Forfeitures herein before-mentioned, are directed to be recovered and applied.

Weigh-
master to be
paid one Half-
penny per
Barrel, by the
Seller,

and detain till
paid.

IV. And be it further enacted by the Authority aforesaid, That every Weigh-master shall have, and be paid for every Barrel or Barrels which he shall examine and brand as aforesaid, the Sum of One Half-Penny, to be paid by each Seller, or other Person or Persons having the Property in such Barrel or Barrels; and in Case of Refusal to pay the same, such Weigh-master or Weigh-masters, who shall respectively examine and brand such Barrel and Barrels as aforesaid, shall and may detain such Barrel or Barrels until such Payment is made to him or them respectively, according to the true Intent and Meaning of this Act.

To encour-
age Partner-
ships or Socie-
ties in Fishe-
ries.

V. And in Order to encourage Persons to enter into Partnerships, or Societies for the better carrying on of Fisheries; be it enacted by the Authority aforesaid, That if any Number of Persons shall, from
and

after the said Twenty-ninth Day *September*, in the Year of our Lord One thousand seven hundred and thirty-four, enter into a Contract or Contracts of Partnership, or form any Society or Societies, for the better carrying on of Fisheries in this Kingdom by a Common or united Stock ; and if any one or more Person or Persons so entering into Partnership, or forming a Society as aforesaid, his, her, or their Executors, Administrators or Assigns, shall neglect or refuse to pay or satisfy (after Three Months Notice to be given for that Purpose) his, her, or their Quota or Share, towards carrying on the said Fishery, and defraying the Charges and Expences incident thereunto, according to the Terms of the said Partnership or Society, and in Proportion with the other Partners, that then and in such Case the other Partners, or the major Part of them, shall and may expose to Sale by publick Cant the Share or Shares, Proportion or Proportions of such Partner or Partners, his, her, or their Executors, Administrators, or Assigns, refusing or neglecting to pay his, her, or their Quota or Share, as aforesaid, and the Money arising by such Sale, after deducting reasonable Expences, shall be paid over unto the Person or Persons who was or were intitled to such Share or Shares, at the Time of the Sale thereof ; and the Person purchasing the same, shall be intitled to all the Benefits thereby arising, in as full and ample Manner, as if he had been originally a Subscriber to the said Undertaking.

C H A P.
XI.

if any Partner
pay not his
Quota after 3
Months No-
tice, the Rest
may sell his
Share by pub-
lick Cant, and
pay him the
Money, de-
ducting Char-
ges,

the Purchaser
intitled as if
original Sub-
scriber.

been originally a subscriber to the said Undertaking. The sum shall be allotted to all the benefits there-
of the said interest; and the Person purchasing
was or were entitled to such Share or Shares, as the
cess shall be paid over unto the Person or Persons who
anything by such Sale, after deducting reasonable Expen-
or their Quota or Share, as aforesaid, and the Money
less, or Assign, refusing or neglecting to pay the same,
or Partners, his, her, or their Executors, Administrators,
or Shares, Proportion or Proportions of such Partner-
shall and may expose to Sale by public Auction the Share
such Case the other Partners or the major Part of them,
in Proportion with the other Partners, that then and in
to the Terms of the said Partnership or Society, and
Charges and Expenses incident thereunto, according to
wards carrying on the said Undertaking, and devolving the
that Purpose) his, her, or their Quota or Share, to-
or (unless before Three Months Notice to be given to the
Administrators or Assigns, shall be paid or retained by
ing a Society as aforesaid, his, her, or their Executors,
Person or Persons to carrying the Partnership, or form-
Government or United Stock; and if any one of more
latter carrying on of the Undertaking in the Kingdom by a
Person or Persons to carrying on of the Undertaking, for the
thing, and shall be a Contract or Contract for the

A N
A C T
T O

Explain and amend the several Laws made
in this Kingdom, for the more effectual
Preservation of Salmon, Fish, and
Fry ; and for the better Improvement
of the Herring-Fishery.

Anno Regni tricesimo primo Georgii II. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee
of the late BOULTER GRIERSON, Printer to the
King's Most Excellent Majesty. 1778.

Case
XV

A C T

T O

Explaining and amending the Law in force
in this Kingdom for the more effectual
at Preservation of Salmon, Fish, and
Fry: and for the better Improvement
of the Fishing-Hilary.

James Rignin trigonus primo George H. Rignin



D U B L I N :

Printed by the Executors of David H. Rignin
of the late Honorable Rignin, Junior to the
King's Most Excellent Majesty 1776

Anno Regni tricesimo primo

GEORGI II. Regis.

A N
A C T
T O

Explain and amend the several Laws made
in this Kingdom, for the more effectual
Preservation of Salmon, Fish, and Fry;
and for the better Improvement of the
Herring-Fishery.

C H A P. XIII.

WHEREAS the Laws now in Force for Preserva-
tion of Salmon in the Spawning Season, are found
to be ineffectual ; For Remedy whereof, be it Enacted
by the King's Most Excellent Majesty, by and with
the Advice and Consent of the Lords Spiritual
and Temporal, and Commons in this present Parlia-
ment assembled, and by the Authority of the same,
That

C H A P.
XIII.

C H A P. That from and after the Twenty-fifth Day of *March*,

XIII. One thousand seven hundred and fifty-eight, no Person

None shall fish between 12 Aug. and 1 Feb. in any River with Net, Rod, or other Instrument; nor carry on the Bank any Instrument for killing Salmon; Offender on Conviction, by Confession or Oath of one Witness before a Justice of the County, shall forfeit 5l.

whatsoever shall, at any Time between the Twelfth Day of *August*, and First Day of *February*, in any Year, fish in any River with any Net, Fishing-Rod, or other Instrument, or carry on the Bank of any River, any Gaff, Loop, Net, Lister, or Spear, or any other Instrument for killing of Salmon; and if any Person shall offend herein, every such Offender, being thereof convicted, by Confession, or by the Testimony of one sufficient Witness, upon Oath, before some one Justice of the Peace for the County where such Offence shall be committed, (which Oath such Justice of the Peace is hereby impowered and required to administer) shall, for every such Offence, forfeit the Sum of Five Pounds, Sterling, to be levied by the Warrant of such Justice, by Distress and Sale of the Offenders Goods; and if no sufficient Distress can be found, the Offender shall, by the like Warrant, be committed to the County Gaol, there to remain, without Bail or Mainprize, for such Time, not exceeding Three Months, nor less than One Month, as such Justices of the Peace shall appoint, unless the said Forfeiture shall in the mean Time be paid, in which Case, the Offender shall be enlarged; and it shall and may be lawful, to, and for any Person or Persons, to apprehend, and carry every such Offender before the next Justice of the Peace, for the County where such Offence shall be committed, together with such of the said Instruments as shall be found in his Hands, without any Warrant, other than the Authority hereby given.

levied on Warrant by Distress, &c. for Want of Distress, imprisoned not above three Months, nor under 1, unless said Forfeiture paid;

any one without other Warrant may apprehend and carry before the next Justice of the County, with the Instruments found.

II. And

II. And be it further enacted By the Authority C H A P. XIII.
 aforesaid, That every Proprietor, or Farmer, of any Salmon Fishery or other Person whatsoever, who shall, at any Time between the Twelfth of *August*, and First Day of *January*, in any Year, kill, or take, or be aiding or abetting, or accessory to the killing or taking of Salmon in any River, being thereof convicted, by Confession, or by the Testimony of Two sufficient Witnesses, upon Oath, before any Justice of the Peace for the County where such Offence shall be committed (which Oath such Justice of the Peace is hereby impowered and required to administer) shall, for every Salmon so killed or taken, forfeit the Sum of Forty Shillings, to be levied by the Warrant of such Justice, by Distress and Sale of the Offenders Goods, so as such Forfeiture, upon any one Conviction, do not exceed the Sum of Twenty Pounds, Sterling; or if any Person or Persons shall, in the Night-time, from the Twelfth Day of *August*, to the First Day of *February*, in any Year, make Use of any lighted Torch, or any Light, in any River, Banks of a Ford in any River, or Water-course leading to a River with Intention to kill or take Salmon, being thereof convicted as aforesaid, such Person or Persons shall, for every Offence, forfeit the Sum of Five Pounds, to be sued for, and recovered, in Manner herein before directed, to be paid to the Person or Persons discovering the same; and that the making Use of any such lighted Torch, or any other Light, in Manner aforesaid, is hereby declared to be Evidence of such Intention, against the Person or Persons on whom the same shall be found, unless the Contrary shall appear; and if no sufficient Distress shall be found, the Offender shall, by Warrant under

Owner of Salmon Fishery, or any Person who between 12 Aug. and 1 Jan. kills Salmon in any River, or accessory thereto,

on Confession or Oath of 2 Witnesses before a Justice of the County, forfeits 40s. every Salmon,

by Distress, &c. on Warrant;

but not to exceed 20l on one Conviction:

using a Light in any River, &c. by Night,

with Intent to take Salmon, Penalty 5l. on Conviction, as aforesaid, to the Discoverer,

the Light, Evidence of Intent, unless the contrary appears,

for want of Distress, imprisoned, not

CHAP. the Hand and Seal of the Justice of the Peace before
XIII. whom such Offender shall be convicted, be committed to the County Gaol, there to remain without Bail or Mainprize, for any Time not exceeding Six Months, and not less than Three Months.

above 6, nor
 under 3
 Months.

III. Provided always, That nothing herein contained, shall extend, or be construed to extend to the Rivers *Rathmalton*, *Lachagh*, *Donnegall*, *Bundrouse*, all in the County of *Down*; the River of *Sligo*; the River *Shannon*, from the Sea to the Island of *Saint Thomas*, above the *Salmon-Wyer*, belonging to the City of *Limerick*; the River *Boyne*, *Lough-Lean*, the Rivers of *Lanne* and *Caragh*, in the County of *Kerry*; the River *Lee*, which runs to the City of *Cork*; and the River *Bush*, in the County of *Antrim*; the River *Newport*, in the County of *Mayo*; and also the River *Feal*, in the County of *Kerry*; but that it shall and may be lawful to and for any Person or Persons, qualified or impowered to fish for Salmon in the said River *Feal*, to kill and take Salmon in the said River, from the First Day of *February* to the Twentieth Day of *October*, in every Year; and that if any Person or Persons shall kill or take, or be aiding, abetting, or accessory to the killing or taking of Salmon in the said River, between the Twentieth Day of *October* and the First Day of *February*, in any Year, such Person or Persons so offending, shall, for every such Offence, be, and are hereby made liable to the several and respective Penalties herein before mentioned, to be sued for, and recovered in Manner herein before directed.

In the River
Feal in *Kerry*,
 Salmon may
 be killed by
 Persons qualified
 from 1
 Feb. to 20
 Oct.

if at other
 Time, or Acc-
 cessary there-
 to, Penalty as
 aforesaid.

IV. And

IV. And whereas Salmon-Fry have often been destroyed by Nets set at Eel Wyers, and other Wyers, and Mill-Courses, on Pretence of fishing for Eels in Seasons of the Year improper for such Eel fishing; be it enacted by the Authority aforesaid, That from and after the Twenty-fifth Day of *March*, One thousand seven hundred and fifty-eight, all and every Person and Persons, who shall at any Time, between the First Day of *March* and First Day of *June*, in any Year, set any Nets, Cobill Net, Cleave, or any other Instrument or Engine, with a Pretence to take Eels, whereby Salmon-Fry may be taken and destroyed, or Fish, or be aiding or abetting, or accessory to the fishing with any set or fixed Net, or Cobill Net, in any River, or in any Lake or Water-Course leading from any River, being thereof convicted by Confession, or by the Testimony of one sufficient Witness upon Oath, before any Justice of the Peace for the County where such Offence shall be committed (which Oath such Justice of the Peace is hereby impowered and required to administer) shall for every such Offence, forfeit the Sum of Ten Pounds Sterling, to be levied by the Warrant of such Justice, by Distress and Sale of the Offenders Goods; and if no sufficient Distress can be found, the Offender shall by the like Warrant, be committed to the County Gaol, there to remain without Bail or Mainprize, for such Time not exceeding Six Months, nor less than Three Months, as such Justice shall appoint, unless such Forfeiture shall in the mean Time be paid, in which Case the Offender shall be enlarged.

C H A P.

XIII.

Setting Nets or Engines between 1 Mar. and 1 June with Pretence to take Eels, whereby Salmon-Fry may be taken, or fishing with Nets in a River, &c. or Accessary thereto, on Confession or Oath of a Witness before a Justice, Penalty 10l. by Distress, &c.

in Default of Distress, imprisoned, not above 6, nor under 3 Months, unless paid sooner.

V. Provided

CHAP.

XIII.

Any Offence
on a Mearing
River profe-
cuted in either
County.

V. Provided always, and be it further enacted by the Authority aforesaid, That where any of the Offences mentioned in this Act shall be committed, in, or upon any River mearing between two Counties, such Offence shall and may be prosecuted in either of such Counties.

Said For-
feitures to 1st
Informer con-
victing.

VI. And be it further enacted by the Authority aforesaid, That the several Forfeitures before mention- ed, shall go to the first Informer who shall prosecute the respective Offenders to Conviction.

Prosecution
in 3 Months.

VII. Provided always, That every Prosecution grounded on this Act, shall be commenced within Three Kalendar Months next after the Offence com- mitted.

Not to re-
peal any Law
as to taking
Salmon or Fry,
but one Con-
viction for
same Offence.

VIII. Provided always, That nothing herein con- tained shall repeal any of the Laws now in being, re- lating to the taking of Salmon, or Salmon-Fry, but that the same shall continue in full Force as if this Act had not been made, so as that no Person shall be con- victed more than once for the same Offence.

From Sun-
rise to Sun-
set Herrings
not to be fish-
ed for in any
Harbour on
the Coast, by
casting Nets,
Penalty 5l. as
aforesaid.

IX. And whereas the fishing for Herrings upon the Coasts of this Kingdom in the Day Time, is very pre- judicial to the Herring Fisheries in general; be it en- acted by the Authority aforesaid, That from and after the First Day of June, One thousand seven hundred and fifty-eight, no Person or Persons whatsoever, shall in the Day-time (that is to say) from Sun-rise to Sun- set, fish for, or kill any Herrings, in any Harbour, on any

any Coast in this Kingdom, by casting of any Net or Nets for that Purpose, under the Penalty of forfeiting the Sum of Five Pounds for each Offence, to be recovered in Manner herein before mentioned.

CHAP.
XIII.

X. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall be sued for any Thing done in Pursuance of this Act, such Person or Persons shall and may plead the general Issue, and give the special Matter in Evidence; and if the Plaintiff or Plaintiffs in any such Action or Suit, shall be non-suited, or if Judgment shall be given against him or them upon Demurrer, or if a Verdict shall be given for the Defendant or Defendants therein, such Defendant or Defendants shall have his or their Costs, to be recovered in such Manner as where Costs are by Law given to Defendants.

General Issue may be pleaded by Persons sued for acting;

Costs on Non-suit, &c.

37
 CHAP. XIII.
 And in this Kingdom, by calling of any Not or
 Not for that Purpose, under the Penalty of forfeiting
 the Sum of Five Pounds for each Offence, to be re-
 covered in Manner herein before mentioned.

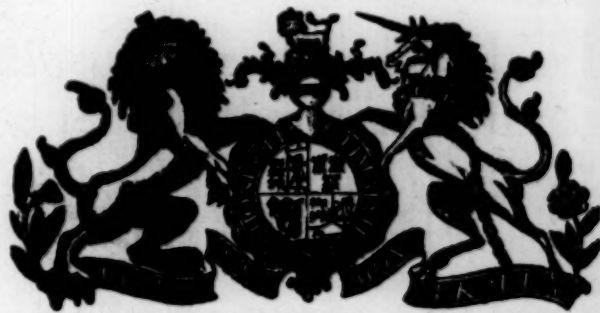
And be it further enacted by the Authority
 aforesaid, That if any Person or Persons shall be used
 for any Thing done in Pursuance of this Act, such
 Person or Persons shall and may plead the General
 Issue, and give the special Matter in Defence; and if
 the Plaintiff or Plaintiffs in any such Action or Suits
 shall be acquitted, or if Judgment shall be given
 against him or them upon Demurrer, or the Verdict
 shall be given for the Defendant or Defendants therein,
 such Defendant or Defendants shall have his or their
 Costs, to be recovered in such Manner as within Call
 are by Law given to Defendants.

A N
A C T

FOR

The Encouragement of the Fish-
eries of this Kingdom.

Anno Regni tertio Georgii III. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee of
the late BOULTER GRIERSON, Printer to the King's
Most Excellent Majesty. 1778.

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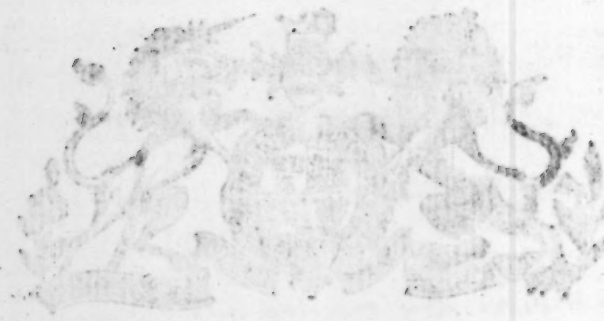
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FOR

The Encouragement of the
Arts of this Kingdom.

By Royal Warrant



Printed by J. Smith, at the
Printers Office, in the Strand.

Anno Regni tertio

GEORGE III. Regis.

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A C T

F O R

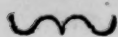
The Encouragement of the Fisheries of this Kingdom.

C H A P. XXIV.

WHEREAS the carrying on and Improvement of the Fisheries on the several Coasts of this Kingdom, may be of great Advantage to the Trade and Navigation thereof, and may be a Means of employing and providing for great Numbers of industrious Poor, and Improvement of His Majesty's Revenue, and a Nursery for Seamen for the Navy of Great Britain, and may likewise be a Means of preventing the great Number of French Ships and Fishing-
F ing-

Recital,

CHAP. ing-Boats which frequently fish upon the Coasts of
XXIV. this Kingdom; therefore, for the Encouragement of



20s. per ton
Bounty out of
the Revenue,
to Owners of
Busses and
Vessels built
in Great-Bri-
tain or Ire-
land, for fish-
ing on these
Coasts,

to be decked,
built after
Commence-
ment of this
Act,
not under 20
Tons,
no Bounty
above 100
Tons,
to proceed
from an Irish
Port;
first visited,
examined, and
admeasured
by the Reve-
nue Officer,
and certified
to the Com-
missioners,

such Persons as are willing to build Busses, or other Vessels fit for fishing in deep Water, and salting such Fish on Board as shall be taken; be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That a Bounty of Twenty Shillings *per* Ton shall be paid annually out of His Majesty's Revenues, under the Management of the Commissioners of the Revenue, to the Owner or Owners of such Vessels, or their Agents, as shall hereafter be built in *Great Britain* or *Ireland*, and manned and navigated as by the Laws now in Force is directed, and hereafter more particularly described for fishing on the Coasts of this Kingdom; and that every such Bus or Vessel that shall be employed in the said Fisheries, or whose Owners shall be intitled to the Bounty of Twenty Shillings *per* Ton, by Virtue of this Act, shall be a decked Bus or Vessel, built in *Great Britain* or *Ireland*, after the Commencement of this Act, not under the Burthen of Twenty Tons, nor shall the said Bounty be paid for more than One Hundred Tons Burthen, and shall proceed on the said Fisheries from some Port in *Ireland*; and before such Bus or Vessel proceed on such Voyage, or be intitled to the Benefit of this Act, she shall be visited by such Officer or Officers of the Revenue belonging to such Port, who shall be appointed by the Commissioners of His Majesty's Revenue, or any Three or more of them, to examine into such Bus or Vessel, and who shall take an Account of the Tunnage there-

of,

of, by Admeasurement, and shall certify such his Certificate for their Visitation, Examination, and Admeasurement, to the Commissioners of His Majesty's Revenue, and that she is a proper Vessel to be employed in the said Fishery; and upon its further appearing by the Oath of One or more Owner or Owners, or their Agent, and of the Master or Chief Officer of such Bus or Vessel, written at the Foot of the said Certificate, and made before the Collector or Comptroller of such Port, who are hereby respectively impowered and required to administer the same, that it is really and truly their firm Purpose, and determined Resolution, that such Bus or Vessel shall proceed well manned, furnished, and accoutred, to fish upon some one or more of the Coasts of this Kingdom, or within Thirty-five Leagues of the same, and that a Journal shall be kept of all their Proceedings, and an Account of the Quantities of Fish which shall be taken on each Voyage; and if after such Certificate had, and Oath made as aforesaid, the Owner or Owners, Master, or Chief Officer of such Bus or Vessel, do produce the Journal of their Proceeding, at the End of each Voyage, attested by the Oath of the Master or Chief Officer of such Bus or Vessel, to prove that she was employed in the said Fishery, during the Season, then all such Requisites being fully performed, shall entitle the Owner or Owners to the said Bounty.

Oath before
Collector by
Owner or
Agent and
Master at
Foot of the
Certificate of
real Intention
to fish, well
manned and
accoutred, on
these Coasts,
or within 35
Leagues, and
keep a Jour-
nal, and Ac-
count of Fish
taken,
on producing
the Journal
at End of
each Voyage
attested on
Master's Oath,
Owner intitled
to said Boun-
ty, at End of
fishing Season.

II. And be it further enacted by the Authority aforesaid, That no Nets shall be shot or wet for the taking of Herrings in the Day-time, under a Penalty of Five Pounds, to be recovered against the Owner

Nets not
shot for Her-
rings in the
Day,

CHAP. or Owners of such Net, or of the said Buſs or Veſſel,
 XXIV. and to be levied by Diſtreſs and Sale of his or their
 Goods and Chattels, by Warrant under the Hand and
 Seal of a Juſtice of Peace of the County wherein the
 Party or Parties do reſide, and before whom the Of-
 fence ſhall be proved, by Confeſſion, or the Oath of
 Two credible Witneſſes, which ſaid Penalty, when re-
 covered, ſhall be applied in Manner following: (that
 is to ſay) one Moiety thereof to the Uſe of the Poor of
 the Pariſh where the Perſon or Perſons ſo forfeiting
 ſhall reſide, and the other Moiety to the Uſe of the
 Perſon or Perſons who ſhall ſue for the ſame.

Penalty ſl.
 on Oath of 2
 Witneſſes,

to Pariſh Poor
 and Proſecu-
 tor.

* Like Penal-
 ty fiſhing from
 Sunſet on Sa-
 turday till af-
 ter Sunſet on
 Sunday.

Partner in
 Fiſhery not
 paying Pro-
 portion called
 for by the
 Majority, on
 30 Days No-
 tice in Ga-
 zette, ſo much
 of his Share
 may be ſold;

III. And be it further enacted by the Authority
 aforeſaid, That no Nets ſhall be ſhot, nor any Boats
 go out to look for Fiſh from Sun-ſet on any *Saturday*
 Night, until after Sun-ſet on *Sunday* Night immedi-
 ately following, under the like Penalty of Five
 Pounds; to be recovered and applied in like Manner
 as herein before is mentioned.

IV. And be it further enacted by the Authority
 aforeſaid, That if any Number of Perſons ſhall enter
 into a Partnership, or ſhall hereafter be incorporated
 by Charter, or otherwiſe, for carrying on a Fiſhery
 on the Coaſts of this Kingdom by Common Stock or
 Subscription, and that any of the Partners, his, her,
 or their Executors or Adminiſtrators, ſhall reſuſe or ne-
 glect to pay his, her, or their Proportion of ſuch Sum
 or Sums of Money as ſhall be called for by the Ma-
 jority of the Partners in ſuch Common Stock or Sub-
 ſcription, at the Times when the ſame ſhall be ap-
 pointed to be paid, Notice of ſuch Call being given in
 the

the *Dublin Gazette*, by the Majority of the said Partners, at least Thirty Days before the Day appointed for such Payment, it shall be lawful for the Majority of such acting Part of the said Company, to sell and dispose of so much of the Share or Stock of the Person or Persons so neglecting or refusing, as shall produce the Sum which such Person or Persons ought to have paid on such Call, and if any Overplus shall remain, to pay the same to the right Owner or Owners thereof; and that it shall also be lawful for the said acting Majority, if so minded, to compel the Payment by Action of Debt, Plaint, or Bill, in any of His Majesty's Courts of Law, to be laid or brought in the Name of said Company, or the Governor thereof, against the Subscribers, their Executors, and Administrators, of all Sums which shall be subscribed to the said Fishery, or such Part thereof as the acting Part of the said Company shall think proper to call in upon a written Notice, served upon the subscribing Party, of the Sum so called for, and not paid within one Month after the same had been due, as if the said Subscribers had passed their several Bonds for the same.

C H A P.
XXIV.

the acting
Majority may
sue in Name
of the Com-
pany or Go-
vernor on
written Notice
if not paid in
a Month after
due, as if
Bonds passed
by Subscri-
bers.

V. And be it further Enacted by the Authority aforesaid, That for an Encouragement to all Persons whatsoever, as well Bodies Politick and Corporate, as others, shall engage in the said Fisheries, there shall be paid out of His Majesty's Revenue, under the Management of the Commissioners of the Revenue, a Bounty of Two Shillings for every Barrel containing thirty-two Gallons, wherein good, sound, and well-cured White Herrings shall be packed, upon the Exportation thereof; a Bounty of Two Shillings and Sixpence.

Bounty on
Exportation
of White Her-
rings 22. per
Barrel 32
Gallons
in any Vessels.

CHAP. XXIV. Sixpence on every Barrel of the same Contents, wherein good, sound, and well-cured Mackerel shall be packed, upon Exportation; a Bounty of five Shillings for every six score of Lyng, taken on the Coasts of this Kingdom, upon the Exportation thereof; a Bounty of three Shillings for every six Score of Hake, Haddock, Glassing, otherwise Coal Fish, and Conger Eel, taken on the Coasts of this Kingdom, upon the Exportation thereof; a Bounty of Four Shillings and Threepence Farthing for every Tierce, containing forty-one Gallons, and so in Proportion, wherein wet Fish, well cured, shall be packed, upon Exportation thereof; a Bounty of three Pounds *per* Ton for Oil extracted from Whales, and thirty Shillings *per* Ton for Oil extracted from other Fish taken on the Coasts of this Kingdom, and manufactured therein; a Bounty of four Pounds a hundred Weight for all Fins of Whales, commonly called Whale-bone, taken on the Coasts of this Kingdom, and manufactured therein.

Shooting at
Whales from
small Boats
not of the
Whale fishery,
Forfeiture of
the Boat and
20l.
by Civil Bill
to Prosecutor.

VI. And whereas there is reason to apprehend, that Whales may be prevented from frequenting the Coast, by Persons constantly shooting at them from small Boats: be it Enacted by the Authority aforesaid, That if any Person or Persons in small Vessels not decked, and not belonging to some Ship actually employed in the Whale Fishery, shall shoot from Guns at any Whales, they shall for every such Offence forfeit to His Majesty the Boat in which such Offence was committed, together with the Penalty of Twenty Pounds, to be recovered and applied as aforesaid.

VII. And

VII. And to prevent any Disputes which may arise, whether a Vessel be properly qualified, and duly fitted out, for carrying on a Fishery, according to the true Intent and Meaning of this Act, and intituled to such Certificate, as herein before is mentioned, from the Custom-house Officers; be it Enacted by the Authority aforesaid, That every such Vessel shall be a decked Vessel, built in *Great Britain* or *Ireland*, after the Commencement of this Act, and if but of twenty Tons, shall have not less than six Men on Board, and if of greater Burthen, shall, over and above the six Men aforesaid, have one Man for every eight Tons which shall exceed twenty Tons Burthen.

CHAP.

XXIV.

6 Men to
Fishing Vessels
20 Ton
Burthen, and
1 Man every
8 Tons over.

VIII. And be it further Enacted by the Authority aforesaid, That on Return of such Buss or Vessel, into any Port of *Ireland*, for her Discharge, the Chief Officer of the Customs, or such other Officer of the Customs as he shall appoint at such Port, shall immediately repair on Board such Buss or Vessel, and view the Condition of such Vessel and her Lading, and to certify the same, together with their Observations thereon, and also the real Tunnage of the said Buss or Vessel; and the said Officers are also to take an Account of the Names of the Master, and other Persons on Board, and to certify the same; and the Master shall make Oath before the Collector or Comptroller of such Port, (who are hereby respectively impowered and required to administer the same) that such Vessel went out to Sea on Purpose for fishing, and for no other Purpose whatsoever, and was not on any other Voyage, except for the Disposal of such Fish as she had caught, and for any Freight she may bring in Return for the same,

The Officer immediately on Return to view such Vessel and Lading, and to certify with the real Tonnage, and Persons on Board, Oath by Master before Collector,

C. H. A. P. same, nor pursued any other Design, or View of Profit; and that the Vessel and Crew did remain fishing for such a Length of Time, as shall be specified in said Affidavit, according to the Directions of this Act, and the Number of Men herein before directed to be on Board the said Vessel, and shall likewise produce to the Officer of the Customs at such Port, a Journal of their Proceedings at Sea, attested by the Oath of the said Master, or other Chief Officer on board such Vessel, that the same contains a true Account of all their Proceedings; all which Certificate, Journal and Oath, together with a true Account of the Quantity, and the particular Species of Fish taken by the said Vessel, shall be transmitted by the Collector or Comptroller of such Port, to the Commissioners of His Majesty's Revenue; and the said Commissioners being fully satisfied of the faithful Dealings and Transactions of the said Master, and other Persons employed in such Vessels, with respect to such Voyage and Fishing, shall on Demand cause Payment to be made of the respective Bounties herein before directed, to be made to the Owner or Owners of such Busses or Vessels, or to his or their Assigns, out of His Majesty's Revenue under their Management, and shall direct, that a particular and distinct Account be kept of the same.

On Entry and shipping for Export Oath of the Port designed, and Bond with 2 Sureties, in treble the Bounty on the Tonnage, and treble Value of the Bounty received, not

IX. And be it further enacted by the Authority aforesaid, That the Owners of such Fish as shall be taken, according to the Directions of this Act, shall, on making a due Entry at the Custom-house, and shipping the same for Exportation, depose on Oath the Port they are designed for, and shall also become bound with Two sufficient Sureties unto His Majesty, His Heirs and Successors, in the Penalty of such Sum,

as shall be equal to treble the Bounty on the Tonnage CH. A. P. of his Vessel, intended by this Act, and also treble XXIV. the Value of such Bounties as he or they shall receive, or be intitled to, by Virtue of this Act, conditioned to re-land, unless in Distress immediately made known at nearest Port, not to re-land the Fish intended to be exported, in any Port, Haven, or Creek, or other Place in Ireland, unless in Case of Distress, which shall be immediately made known to some One or more of the Officers of the Customs of the Port nearest to where such Vessel shall be stranded, which Bond the Collector of the Port is hereby required to take, and the said Bonds the Bond in Force 3 Years are hereby declared to be good and valid in the Law, for the Sums respectively contained therein, and shall be in Force, for the Space of Three Years, against the Obligors therein mentioned, their Heirs, Executors, and Administrators.

X And for preventing any Frauds that may be attempted, by claiming any of the aforesaid Bounties for any Fish carried to Foreign Markets, which have not been caught upon the Coasts of this Kingdom, within the Distances herein before described; be it enacted by the Authority aforesaid, That no Owner No Bounty, unless Affidavit of Fish caught on Irish Coasts within such Distance. or Owners of any such Fish, shall be intitled to any of the Bounties aforesaid, unless such Fish for which such Bounties shall be claimed, shall be proved by sufficient Affidavits, made before the Collector, or Officer's Certificate of Landing and Exporting, with the Quantity and Quality. other principal Officer of some Port in this Kingdom, (which Oath the said Officer or Officers are hereby empowered to administer) to have been caught upon the Coasts of this Kingdom, within the Distances herein before described, and the said Collector or other Officer shall then certify under his Hand, that the said Fish was first landed in, and then exported from the said Port of this Kingdom; in which Certificate shall

C H A P. XXIV. shall be Specified the Quantity and Quality of the Fish so exported, and then and in that Case the Affidavit of such Foreign Merchant, to whom the Vessel was consigned, made before the Chief Magistrate of the Port where he resides, or a *British* Consul, in Case any such there be, there specifying particularly the Quantity and Species of Fish landed at such Foreign Market, together with the Affidavit of the Master, or other Chief Officer of such Vessel on her Return to *Ireland*, made before the Collector or Comptroller of the Port where she shall arrive, (who are hereby respectively impowered and required to administer the same) that he was present, and did see the Foreign Merchant (mentioning his Name) sign and swear the said Affidavit before the Chief Magistrate of the Foreign Port, or *British* Consul residing there; and upon delivering to the Collector of the Port in *Ireland*, where such Vessel shall arrive, the said two Affidavits, and performing all other the Directions of this Act, intitle the Owners to the several Bounties respectively mentioned.

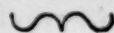
Said Bounties for 6 Years.

XI. Provided always, That the Bounties hereby allowed and given on conforming to the Regulations aforesaid, shall be paid during the Space of Six Years from the Commencement of this Act, and no longer.

Not to exclude fishing as heretofore.

XII. Provided also, That nothing in this Act shall extend, or be construed to extend, to exclude any of His Majesty's Subjects from fishing, or carrying on the White Herring and other Fisheries, in such Manner as they might have done, in Case this Act had never been made.

A N



A N

A C T

T O

Explain and amend the several Laws made
in this Kingdom, for the effectual Pre-
servation of Salmon Fish

Anno Regni tertio Georgii III. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee
of the late BOUETER GRIERSON, Printer to the
King's Most Excellent Majesty. 1778.

1870

THE
OFFICE OF THE
SOLICITOR GENERAL

IN THE
COURT OF COMMONS

AND

IN THE
COURT OF CHANCERY

IN THE
COURT OF EXCHEQUER



IN THE
COURT OF COMMONS

Anno Regni tertio

GEORGI III. Regis.

A N
A C T
T O

Explain and amend the several Laws made
in this Kingdom, for the effectual Prefer-
vation of Salmon Fish.

C H A P. XXXV.

WHEREAS by an Act of Parliament passed in this
Kingdom, in the Thirty-first Year of the Reign
of His late Majesty King George the Second, intituled,
An Act to explain and amend the several Laws in this
Kingdom, for the effectual Preservation of Salmon Fish,
it is among other Things Enacted, That from and af-
ter the Twenty-fifth Day of March, One thousand
seven hundred and fifty-eight, no Person whatsoever
should, at any Time between the Twelfth Day of
August,

C H A P.

XXXV.

31 Geo. 2,
c. 13, recited,
sec. 3.

CHAP. *August*, and First Day of *February*, in any Year, XXXV. fish in any River with any Net, Fishing-Rod, or other Instrument, or carry on the Bank of any River, any Gaff, Loop, Net, Lister, or Spear, or any other Instrument for killing of Salmon, under the Penalty of Five Pounds, Sterling for such Offence; and it was thereby also further enacted, That every Proprietor, or Farmer, of any Salmon Fishery, or other Person whatsoever, who should at any Time between the Twelfth Day of *August*, and First Day of *February*, in any Year, kill, or take, or be aiding, abetting, or accessary to the killing or taking of Salmon in any River, being thereof convicted, should for every such Salmon so killed or taken, forfeit the Sum of Forty Shillings; and the several Forfeitures to be sued for, levied, and recovered, in such Manner as by the said Act is directed; but by the said Act it is provided, That nothing in the said Act contained, should extend, or be construed to extend to the Rivers *Rathmelton*, *Lackbagh*, *Donnegall*, *Bundrouse*, all in the County of *Donnegall*; the River of *Sligo*; the River *Shannon*, from the Sea to the Island of *Saint Thomas*, above the Salmon Wyer belonging to the City of *Limerick*; the River *Boyne*, *Lough-lean*, the Rivers *Lanne* and *Caragh*, in the County of *Kerry*; the River *Lee*, which runs to the City of *Cork*; and the River *Bush*, in the County of *Antrim*; the River *Newport*, in the County of *Mayo*; in which said Rivers Salmon is in Season throughout the Year; but the above-mentioned Proviso and Exception, that nothing in the said Act contained should extend to the said Rivers, is found very prejudicial to the respective Proprietors and Farmers of the said several Rivers, as they are by the said Proviso so far

certain Rivers
excepted
thereout;

Inconvenience
of such Ex-
ception,

far debarred and prevented from having the Benefit C H A P.
of the Act for preserving their Mother and Spawning XXXV.
Salmon, that the Forfeiture of Five Pounds cannot
be levied off the People offending in killing the Mother
or Spawning Salmon in the said respective Rivers:
For Remedy whereof, be it enacted by the King's
Most Excellent Majesty, by and with the Advice
and Consent of the Lords Spiritual and Temporal,
and Commons in this present Parliament assembled,
and by the Authority of the same, That from and af-
ter the First Day of *May*, One thousand seven hun-
dred and sixty-four, no Person whatsoever, except
the respective Proprietors and Farmers of the said
respective Rivers and Salmon Fisheries, shall at any
Time between the Twelfth Day of *August*, and First
Day of *February* in any Year, fish in any of the said
Rivers, or in the River *Earne*, or Salmon Fishery of
Ballyshannon, between the Twelfth Day of *August*
and the First Day of *May*, with any Net, Rod, or
any other Instrument whereby Fish may be taken or
killed, or carry a Rod, Gaff, Loop-Net, Lister, or
Spear, or any other Instrument, whereby Fish may be
killed or taken, on the Banks of any of the said Ri-
vers; and if any Person shall offend herein, every
such Offender being thereof convicted by Confession
or by the Testimony of any one credible Witness up-
on Oath, before some one Justice of the Peace for
the County where such Offence shall be committed
(which Oath such Justice of the Peace is hereby im-
powered and required to administer) shall for every
such Offence forfeit the Sum of Five Pounds Ster-
ling, over and above the Boat and Nets, the same to
be levied by the Warrant of such Justice by Distress
and Sale of the Offenders Goods, and to be paid to the
Inform^r

none, save
Proprietors
and Farmers
of said Rivers
and Fisheries,
shall fish be-
tween 12
Aug. and 1st
Feb.
in the Earne,
or at Bally-
shannon, be-
tween 12 Aug.
and 1st May,
nor carry In-
struments on
the Banks,

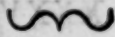
on one Wit-
ness before a
Justice, Penal-
ty 5l. besides
Boat and Nets,

C H A P. Informer or Informers; and if no sufficient Distress
XXXV. can be found, the Offender shall by the like Warrant
 be committed to the County Gaol, there to remain
 without Bail or Mainprize for such Time, not exceed-
 ing Three Months, nor less than One Month, as such
 Justice shall appoint, unless such Forfeiture shall in
 the mean Time be paid, in which Case the Offender
 shall be enlarged.

None, save
 Proprietors
 and Farmers
 to use in Sal-
 mon-Fisheries
 Boats or Nets
 with a Sole
 Rope, with
 Sinks or other
 Instrument for
 taking Salmon,

Penalty 5l.
 with the Boat,
 &c.

II. And whereas the several Proprietors and Far-
 mers of the several Salmon Fisheries within this
 Kingdom, in general, are continually disturbed in the
 Property of their said several Salmon Fisheries, and
 such Properties and Salmon Fisheries destroyed by se-
 veral Persons on Pretence of taking smaller and other
 Kinds of Fish, within the Bounds of the said several
 Salmon Fisheries throughout this Kingdom in gene-
 ral; be it therefore enacted by the Authority afore-
 said, That from and after the First Day of *May*, One
 thousand seven hundred and sixty-four, no Person or
 Persons whatsoever (except the Proprietors and
 Farmers of the said several Salmon Fisheries and
 their several and respective Fishermen) shall make
 Use of any Boat, or Fish with any Net or Nets
 of any Kind, that hath or shall have a Sole, Rope or
 Ropes, with Sinks of any Kind thereunto fixed, or
 make Use of any other Instrument whatsoever, for
 taking or killing of Salmon within the Limits of the
 said several Salmon Fisheries throughout this King-
 dom; and if any (except the said Proprietors and Far-
 mers, and their Fishermen, by them respectively em-
 ployed) shall offend herein, every such Offender, be-
 ing thereof convicted as aforesaid, shall forfeit the
 Sum of Five Pounds Sterling, together with the Boat
 or

or Boats, Net or Nets, with all and every other C H A P.
Instrument made Use of in committing such Of- XXXV.
fence, the same to be recovered and disposed of in 
Manner herein before directed; and that the Li-
mits and Bounds of all and every Salmon Fishery in
this Kingdom, is and are hereby deemed and under-
stood to be such as they have been severally and re-
spectively held, possessed, and enjoyed, by the several
and respective Proprietors, and the several and respec-
tive Farmers deriving under them, for Thirty-one
Years past.

Bounds of
Salmon-fishe-
ries as enjoyed
31 Years past.

III. And whereas the Proprietor and his Tenants,
and Farmers of the Salmon Fishery of *Sligo* are con-
tinually disturbed in the Property of the said Salmon
Fishery; be it enacted by the Authority aforesaid,
That from and after the First Day of *May*, One thou-
sand seven hundred and sixty-four, no Person whatso-
ever except the Proprietor, his Tenants, and Farmers
of the Salmon Fishery aforesaid, shall make Use of any
Boat, or of any Net or Nets, that will have a Sole-Rope
with Sinks affixed thereunto, nor of any other Instru-
ment whatsoever, wherewith Salmon may be taken
or killed in the said River, from the Salmon Wyer
above the Town of *Sligo*, down to the Oyster Island;
and if any Person shall offend herein, every such Of-
fender for every such Offence shall forfeit the Sum of
Five Pounds Sterling, together with the Boat or Boats,
Net or Nets, and all other Sorts of Instruments used by
them in such Offence, to be recovered and disposed of
in Manner herein before-mentioned.

The like of
the Salmon-
fishery of *Sligo*
from the
Wyer to the
Oyster Island.

H

IV. And

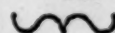
C H A P.

XXXV.

In Lough-
foyle Proprie-
tors or those
employed may
fish till 1st
Sept.

IV. And whereas in the River of *Loughfoyle*, in the Counties of *Londonderry, Donnegall, and Tyrone*, Salmon-Fish in the Months of *July* and *August* are known to be in the greatest Plenty and highest Season; be it enacted by the Authority aforesaid, That it shall and may be lawful for the Proprietors of the several Fisheries in the said River of *Loughfoyle*, and for the Persons employed by or acting under them, to continue to fish until the first Day of *September*, in every Year henceforward; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

A N



A N

A C T

F O R

Explaining and amending an Act, intituled, An Act for the Encouragement of the Fisheries of this Kingdom.

Anno Regni quinto & sexto Georgii III. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee of the late BOULTER GRIERSON, Printer to the King's Most Excellent Majesty. 1778.

CHAS.

A. H.

A. C. T.

THE LIBRARY OF THE
MUSEUM OF NATURAL HISTORY
AND AGRICULTURE
OF THE CITY OF LONDON

Acquired from the Rev. George H. R. R.



D. U. L.

Printed by the University of London Press, Ltd.,
at the University Press, Cambridge, 1911.
King's College London, 1911.

Anno Regni quinto & sexto

GEORGI III. Regis.

A N
A C T
F O R

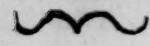
Explaining and amending an Act, intituled,
an Act for the Encouragement of the
Fisheries of this Kingdom.

C H A P. VII.

WHEREAS by an Act passed in the Third Year of the Reign of His present Majesty King George the Third, intituled, *An Act for the Encouragement of the Fisheries of this Kingdom*, it is amongst other Things enacted, that every Buſs or Veſſel that ſhall be employed in the ſaid Fisheries, or whoſe Owners ſhall be intituled to the Bounty of Twenty Shillings *per* Ton, given by the ſaid Act, **shall**

C H A P. VII.
3 Geo. 3, c.
24, ſ. c. 1 & 7,
by which fiſh-
ing Veſſels,
intituled to 20s.
per Ton Boun-
ty, muſt be
decked.

C H A P. shall be a decked Buss or Vessel : And whereas in many Parts of this Kingdom, where Harbours and Ports

VII.  are contiguous to the Fishing-Ground, it may be more convenient to salt and cure on Shore all such Fish as shall be taken, and the Vessels therefore employed in catching and taking said Fish, are in many Places found to be more safe and commodious for the Fishermen on Board, by being partly decked and partly open ; be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Owners of all Busses or Vessels which have been built since the Commencement of the said Act, or that shall be built after the Commencement of this present Act, which are in every other Respect duly qualified according to the Directions and the Intent and Meaning of the said Act, although they shall be partly decked and partly open, shall be intitled to the Bounty given by the said Act, on Compliance with the several other Requisites in the said Act mentioned, or such of them as are not dispensed with by this present Act.

Fishing Vessels, built since said Act or hereafter, intitled to said Bounty, tho' partly decked and partly open, if otherwise qualified pursuant to said Act, and on complying with other Requisites not hereby dispensed with.

Producing and attesting the Journal of Proceedings at Sea, and Oath by Master before Collector, and Certificate by Officer of Customs, at the End of Fishing Season sufficient within 3 Geb. 3, c. 24.

II. And whereas a Doubt has arisen upon the Words of the said Act, whether among other Requisites to intitle the Owner or Owners of such Buss or Vessel to the Bounty given by the said Act, it may not be necessary for the Owner or Owners, Master, or Chief Officer of such Buss or Vessel, to produce the Journal of their Proceedings at Sea, and to attest the same, and for the Master of such Buss or Vessel also to make such Oath before the Collector of the Customs,

as

as is directed by the said Act to be made at the End of each Voyage, every Time that, and as often as the said Vessel comes into Port, in Order to land any of the Fish taken by her off the said Port, by which great Delay and Interruption would be given to the Fishing Business, and especially to such Persons as are employed therein for the Purposes of supplying the Markets of *Dublin* with Fish during the Times of the Fishing-Season: For Remedy whereof, and for explaining the said Act, be it declared and enacted by the Authority aforesaid, That the producing and attesting the said Journal, and the Master or Chief Officer of such Buss or Vessel making such Oath before the Collector of the Port, and the Officer of the Customs, certifying such Matters as are directed by the said Act, at the End of the Fishing-Season, shall be sufficient within the Intent and Meaning of the said Act, for all the Purposes therein mentioned; and if any Person or Persons shall wilfully swear falsely in any Oath or Oaths directed by this Act to be taken, or shall corruptly procure any Person or Persons to swear falsely in any of the said Oaths, every Person being convicted of such Offence, shall incur all such Pains, Penalties and Forfeitures, as Persons who commit, or corruptly procure or seduce any Witness to commit, wilful or corrupt Perjury, are now subject to by any Law or Statute now in Force in this Kingdom.

Falsely swear-
ing, or pro-
curing it, pun-
ished as Per-
jury.

III. And whereas the Penalty of Five Pounds, inflicted by the said Act upon any Person who shall shoot any Net or Nets for the taking of Herrings in the Day-time, and also the like Penalty of Five Pounds,

rol. Penalty
instead of 5l.
for shooting
Nets for Her-
rings by Day,
or going out
for Fish on
Sundays,

C H A P. Pounds, inflicted by the said Act, for any Boats which shall go out to look for fish from Sun-set on *Saturday* Night, until after Sun-set on *Sunday* Night, have not been found sufficient to deter Persons from the same; be it enacted by the Authority aforesaid, That every Person who shall be guilty of any of the Offences aforesaid, shall, instead of the said Penalties, be subject for every such Offence to the Penalty of Ten Pound; and that such Penalty shall and may be recovered by any Person who will sue for the same, within Three Months next after the Offence committed, by Civil Bill before the Justice or Justices of Assize, at the Assizes for the County where such Offender usually lives or resides, or at the Quarter Sessions to be held for the County of *Dublin*, if such Offender usually resides there; such Penalty, when recovered, to be to the Use of the Person so suing for the same.

by Civil Bill
to Prosecutor.

Bounties on
exporting Fish
by 3 Geo. 3,
c. 24, sec. 1,
payable if
taken within
95 Leagues in
any Vessel
whatever.

IV. And whereas a Doubt has arisen upon the Words of the said Act, whether the Bounty payable on the Exportation of the several Kinds of Fish therein mentioned, be payable upon the Exportation of any Fish, save only such as are taken on Board such Bufs or Vessels as are particularly described in the said Act: For removing which said Doubt, be it declared and enacted by the Authority aforesaid, That the several Bounties given by the said Act upon the Exportation of Fish, shall be payable to the Owner or Owners of the Fish, upon the Exportation of the several Kinds thereof, in the said Act mentioned, the same being prepared for such Exportation, in the Manner in the said Act directed; Provided the said Fish shall have been taken on

on the Coasts of this Kingdom, or within Thirty-five C H A P. Leagues thereof, in any Vessel whatever. VII.

V. And be it enacted by the Authority aforesaid, That the Penalty of Twenty Pounds, inflicted by the said Act, upon such Person or Persons as shall be guilty of shooting at Whales from Boats or small Vessels, not belonging to some Ship actually employed in the Whale Fishery, shall and may be recovered by any Person for his own Use, who shall sue for the same by Civil Bill, in the same Manner as the Penalties herein before mentioned are appointed by this Act to be recovered.

201. Penal-
ty by 3 Geo.
3, cap. 24, sec.
6. for shoot-
ing at Whales
from Boats,
&c. by Civil
Bill to Prose-
cutor.

VI. And whereas several Doubts have arisen concerning the true Construction and Meaning of the Clause in the said Act, for preventing Frauds that may be attempted by claiming any of the Bounties given by the said Act, for Fish carried to Foreign Markets, which have not been caught on the Coasts of this Kingdom, within the Distance in the said Act described: For the explaining and amending of the said Act, be it declared and enacted by the Authority aforesaid, That no Owner or Owners of any Fish, shall be intitled to the Bounties given upon the Exportation thereof, except as herein after is mentioned, unless such Fish shall be first landed in, and afterwards exported from, some Port in this Kingdom, and unless such Fish, for which such Bounty shall be claimed, shall be proved by sufficient Affidavit made before the Collector or other principal Officer of the said Port, which Oath or Oaths such Collector or Officer is hereby impowered and required to administer, to have been

No Bounty on
Export of
Fish, unless
Officer's Cer-
tificate of be-
ing first land-
ed in, and af-
terwards ex-
ported from
an Irish Port,
with the
Quantity and
Quality, and
Affidavit be-
fore the Offi-
cer.

C H A P. VII. been caught on the Coasts of this Kingdom, within the Distance in the said Act described; and the said Collector or principal Officer shall then certify under his Hand, that the said Fish was first landed in, and then exported from the said Port of this Kingdom, and in the said Certificate shall also specify the Quantity and Quality of the Fish so exported; which Affidavit being so made, and Certificate given as aforesaid, the Owner of such Fish shall, on his performing all the other Directions of the said Act, be intitled to and paid the several Bounties respectively given by the said Act upon the Exportation of the said Fish.

Vessels proceeding to Foreign Market without touching here, on producing an Affidavit of the Foreign Merchant made before the Chief Magistrate or British Consul there, with the Quantity and Species, and Affidavit by the Captain on Return before the Officer of taking the Fish within prescribed Distance, and seeing said Merchant sign and swear,

VII. And whereas it may frequently happen, that several of the large Busses or Vessels employed in the said Fisheries, having salted and cured a sufficient Quantity of Fish for their Cargoes at Sea, may find it expedient to proceed directly with such their Cargoes to some Foreign Market, without touching at any Port in this Kingdom: Be it enacted by the Authority aforesaid, That then and in that Case upon an Affidavit being made by such Foreign Merchant, to whom the Vessel shall be consigned, before the Chief Magistrate of the Port where he resides, or a *British* Consul, in Case any such there be, specifying particularly the Quantity and Species of Fish landed at such Foreign Port or Market, and also upon a further Affidavit of the Master, or other Chief Officer of such Vessel on her Return to *Ireland*, being made before the Collector or other principal Officer of the Port where she shall arrive, who are hereby impowered and required to administer the same, setting forth that all the said Fish so landed at the said Foreign Port or Market,

Market, was taken upon the Coasts of this Kingdom, within the Distance described in the said recited Act, and setting forth that he was present, and did see the Foreign Merchant, mentioning his Name and Place of Abode, sign and swear the said Affidavit before the Chief Magistrate of such Foreign Port, or *British* Consul residing there, and upon delivering to the Collector of the Port in *Ireland*, where such Vessel shall arrive, the said Two Affidavits, the Owner or Owners of the Fish, shall be intitled to, and be paid the several Bounties which are respectively given by the said Act, upon the Exportation of the several Kinds of Fish therein particularly mentioned.

C H A P.
VII.

Owner paid
Bounties in
said Act.

VIII. And for the better and more effectual Encouragement of the Fisheries of this Kingdom; be it enacted by the Authority aforesaid, That all the several Bounties by the said Act given and allowed, on conforming to all the several Regulations in the said Act mentioned, which are not altered and dispensed with by this Present Act, and also to such Regulations as are made necessary by this Act, shall be paid, for and during the Space of Fourteen Years, from the First Day of *April*, One thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament, and no longer.

The Boun-
ties continued,
14 Years, &c.
from April 1,
1766.

IX. Provided always, that the said Act, and every Clause and Article therein contained, and not herein and hereby altered or repealed, shall continue in full Force.

3 Geo. 3.
cap. 24, in
Force, save as
altered.

I 12

X. And

CH A P. X. And provided always, That nothing in the
 VII. said Act, or in this present Act, shall extend to, or
 be construed to extend to exclude any of His Majes-
 ty's Subjects from fishing or carrying on the White
 Herring and other Fisheries, in such Manner as they
 might have done in Case this Act had never been
 made (the Cases before-mentioned, where Penalties
 are inflicted, only excepted).

*Liberty of
 fishing as
 heretofore,
 save where
 Penalties.*

CLAUSE

Anno Regni septimo & octavo

GEORGE III. Regis.

CLAUSE
OF AN
ACT

FOR

Continuing, reviving, and amending several
Temporary Statutes, and other Purposes
therein mentioned.

CHAP. XX.

-WHEREAS by Two several Acts passed in the Third and Sixth Years of His present Majesty's Reign, *for the Encouragement of the Fisheries in this Kingdom*; it is required, That every Vessel shall have Six Men for the first Twenty Tons, and one Man for every Eight Tons exceeding Twenty Tons, employed on Board said Vessel during the Fishing Season, to intitle the Owners thereof

CHAP.
XX.

3 Geo. 3,
cap. 24

5 & 6 Geo.

3, cap. 7-
the Number

of Men there-
by required to

intitle to

Bounty on

Tonnage in-
convenient.

CHAP. thereof to the Bounty given on the Tonnage of said

XX. Vessels, but it is found by Experience, that so great a Number of Men being required as aforesaid, subjects the Owners of said Vessels to great Inconveniencies and Difficulties, in Regard the Fishermen of this Kingdom, are mostly employed and paid on Board said Vessels by the Shares: For Remedy whereof, be it enacted by the Authority aforesaid, That from hence-

4 Men for
1st 20 Tons,
and 1 every
8 Tons over
sufficient.

forth, Four Men for the first Twenty Tons, and one Man for every Eight Tons exceeding Twenty Tons, shall be deemed a sufficient Number of Men to be employed on Board such Vessels during the Fishing Season, to intitle the Owners thereof to said Bounty, who shall in all other Respects comply with the Requisites prescribed by said Acts.

FOR

Containing, reviving, and amending several
Temporary Statutes, and other Purposes
therein mentioned.

CHAP. XX.

W
H E R E A S by Two several Acts passed
in the Third and Sixth Years of this pre-
sent Majesty's Reign, for the Encourage-
ment of the Fishermen in this Kingdom; it is required,
That every Vessel shall have Six Men for the first
Twenty Tons, and one Man for every Eight Tons
exceeding Twenty Tons, employed on Board said Vessel
during the Fishing Season, to intitle the Owners
thereof to the Bounty given on the Tonnage of said

CLAUSES:

Anno Regni undecimo & duodecimo

GEORGI III. Regis.

C L A U S E S

OF AN

A C T

F O R

Granting unto His Majesty an additional
Duty on the several Commodities, Goods,
and Merchandizes therein mentioned, &c.
&c.

C H A P. I.

—AND be it further enacted by the Authority CHAP.
aforesaid, That the said Tax of One Shil- I.
ling *per* Barrel, hereby granted and im-
posed upon all Herrings imported into this Kingdom, ^{1s. per Bar-}
be paid to the *Dublin Society*, to be by them applied ^{rel on Her-}
to the Encouragement of the Fisheries in the North- ^{rings import-}
West Parts of this Kingdom. ^{ed.}

II. Provided

CHAP.

I.

II. Provided always, in Case any Herrings so imported shall be re-exported within Nine Calendar Months after such Importation, that the Duties hereby imposed, paid on such Importation, shall be repaid to, and drawn back by the Exporter or Exporters of the same.

ANNO REGNI
G E O R G I I I I I .
R E G I S

Magnæ Britanniae, Franciæ, & Hiberniæ,
DECIMO QUINTO.

At the Parliament begun and holden at *Westminster*, the
Twenty-ninth Day of *November*, *Anno Domini* 1774,
in the Fifteenth Year of the Reign of our Sovereign
Lord GEORGE the Third, by the Grace of God of
Great Britain, France, and Ireland, King, Defender
of the Faith, &c.

Being the First Session of the Fourteenth Parliament of *Great
Britain*.



LONDON : Printed by CHARLES EYRE, and
WILLIAM STRAHAN;

AND

DUBLIN : Re-printed by the Executors of
DAVID HAY, Assignee of the late BOULTER GRIERSON,
Printer to the King's Most Excellent Majesty. 1778.

CHAP.
XXXI.

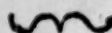


CHART
XXI
~

GEORGE III.

DECIMO QUINTO.

At the Parliament begun and holden at Westminster the
Twenty-ninth Day of November Anno Domini 1774
in the Fifteenth Year of the Reign of our Sovereign
Lord GEORGE the Third, by the Grace of God of
Great Britain, France, and Ireland, King, Defender
of the Faith, &c.

Being the 11th Session of the Parliament of Great
Britain.



LONDON: Printed by CHARLES EVANS, and
WILLIAM STRAHAN;

AND
DUBLIN: Re-printed by the Executioner of
DAVID HAY, Assignee of the late ROBERT GARRISON,
Printer to the King's Most Excellent Majesty. 1778.

ANNO DECIMO QUINTO
GEORGII III. Regis.

A N
A C T

FOR

The Encouragement of the Fisheries carried on from *Great-Britain*, *Ireland*, and the *British Dominions in Europe*; and for securing the Return of the Fishermen, Sailors, and others, employed in the said Fisheries, to the Ports thereof, at the End of the Fishing Season.

C H A P. XXXI.

WHEREAS the Fisheries carried on by His Majesty's Subjects of *Great-Britain*, and of the *British Dominions in Europe*, have been found to be the best Nurseries for able and experienced Seamen, always ready to Man the Royal Navy when Occasions require; and it is therefore of the highest

C H A P.
XXXI.

Preamble.

K₂

National

C H A P. National Importance to give all due Encouragement to
 XXXI. the said Fisheries, and to endeavour to secure the annual Return of the Fishermen, Sailors, and others employed therein, to the Ports of *Great-Britain*, and of His Majesty's Dominions before-mentioned, at the End of every Fishing Season: Now, in Order to promote these great and important Purposes, and with a View, in the first Place, to induce His Majesty's Subjects to proceed early from the Ports of *Great-Britain* to the Banks of *Newfoundland*, and thereby to prosecute the Fishery on the said Banks to the greatest Advantage, may it please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *January*, One thousand seven hundred and seventy-six, the respective Bounties, herein after-mentioned, shall be paid and allowed annually, for eleven Years, for a certain Number of Ships or Vessels employed in the *British* Fishery on the Banks of *Newfoundland*; under the Limitations and Restrictions herein-after expressed, that is to say, such Vessels shall appear by their Register to be *British* built, and owned by His Majesty's Subjects residing in *Great-Britain* or *Ireland*, or the Islands of *Guernsey*, *Jersey*, or *Man*, and be of the Burthen of fifty Tons or upwards, and navigated with not less than fifteen Men each, three fourths of whom, besides the Master, shall be His Majesty's Subjects, and in other Respects qualified and subject to the same Rules and Restrictions as are described by an Act made in the Tenth and Eleventh Years of the Reign

After Jan. 1,
 1776, Boun-
 ties to be
 given to Ves-
 sels fitted out
 from Great-
 Britain or Ire-
 land for the
Newfound-
land Fishery,

qualified as by
 Act 10. & 11.
 W. 3.

Reign of the late King *William* the Third, intituled; **C H A P.**
An Act to encourage the Trade to Newfoundland; and XXXI.
shall be fitted and cleared out from some Port in *Great-*
Britain after the said First Day of *January*, One thou-
sand seven hundred and seventy-six, and after that Day
in each succeeding Year, and shall proceed to the Banks
of *Newfoundland*; and having catched a Cargo of Fish
upon those Banks, consisting of not less than Ten
Thousand Fish by Tale, shall land the same at one
of the Ports on the Southern or Eastern Side of the
Island of *Newfoundland*, between *Cape Ray* and *Cape*
de Grat, on or before the fifteenth Day of *July* in each
Year, and shall make one more Trip at least to the
said Banks, and return with another Cargo of Fish
caught there, to the same Port; in which Case, the
Twenty-five Vessels first arriving at the said Island of
Newfoundland from the Banks thereof, with a Cargo
of Fish caught there, consisting of Ten Thousand
Fish by Tale at the least, and after landing the same
at one of the Ports within the Limits before-mention-
ed in *Newfoundland*, shall proceed again to the said
Banks, and return to the said Island with another Car-
go of Fish, shall be intituled to Forty Pounds each;
and One Hundred Vessels which shall so arrive the
next in Order of Time, on or before the said-Fifteenth
Day of *July* in each Year, at the said Island, with a
like Cargo, and shall proceed again to the said Banks,
and return from thence in the Manner herein-before
mentioned, shall be intituled to Twenty Pounds each;
and One Hundred other Vessels which shall so arrive
the next in Order of Time, on or before the said Fif-
teenth Day of *July* in each Year at the said Island,
with a like Cargo, and shall proceed again to the said
Banks,

CHAP. Banks, and return from thence in the Manner herein

XXXI. before mentioned, shall be intitled to Ten Pounds each,

upon the Master or Owner of such Vessels producing to the Collector of His Majesty's Customs at the Port in *Great-Britain* from whence such Vessel was cleared out, a Certificate, under the Hand and Seal of the Governor of *Newfoundland*, that the Master of such Vessel had produced to him a Certificate under the Hands of the Collector and Comptroller of the Customs at the Port from whence such Vessel was cleared out, testifying that such Vessel was duly qualified to proceed on such Fishery in pursuance of the before-mentioned Act made in the Tenth and Eleventh Years of King *William* the Third; and that it has been made appear to his Satisfaction, by a Certificate under the Hand and Seal of the Naval Officer of the District in *Newfoundland* where such Fish was landed, or where there is no Naval Officer, under the Hand and Seal of the Commander of any of His Majesty's Ships stationed there, or of such Officer as the Governor shall approve, specifying the Time of such Vessel's Arrival, in Manner before directed, that such Vessel was intitled, by the Priority and Time of her Arrival, to one or other of the Bounties therein mentioned, as the Fact may be; and that the Master and Mate of such Vessel had made Oath before such Naval or other Officer as aforesaid, that the Number of Fish taken, on the first Trip amounted to Ten Thousand at least by Tale; that he had made two Trips at least, and that all the Fish on both Trips were caught on the Banks of *Newfoundland*; which Certificate and Oath the said Governor and Naval or other Officer as aforesaid, are hereby impowered and required to grant and administer,

Certificates to be produced to the Collector of Customs from the Governor of *Newfoundland*, of the Qualification of Ships, &c.

Masters and Mates to make Oath.

Certificates and Oaths to be granted and administered without Fee.

ter to the Master and Mate of such Vessel without Fee or Reward; and upon delivering up the said Certificate to such Collector, the respective Bounties therein mentioned shall be paid by such Collector, out of any Money remaining in his Hands arising by the Duties of Customs, or other Subsidies upon Foreign Goods imported into this Kingdom: And in case such Collector shall not have sufficient Money in his Hands to pay the said Bounties, he shall certify the same to the Commissioners of His Majesty's Customs in *England* or *Scotland* respectively, who are hereby authorized and required to order the same to be paid by the Receiver-General of the Customs, out of any Money in his Hands arising by any of the Duties and Revenues under their Management respectively.

CHAP.
XXXI.

Collectors of
Customs to
pay the Boun-
ties.

II. And be it further enacted by the Authority aforesaid, That for the better Accommodation of the Persons belonging to Vessels employed in the *Newfoundland* Fishery, it shall and may be lawful for the Masters and Crews belonging to any Vessels fitted out and employed in that Fishery in pursuance of this or any other Act, to occupy and use for the Purpose of curing, salting, drying, and husbanding their Fish, any vacant or void Space whatever on any Part of *Newfoundland*, which is not then occupied and used for the said Fishery, without any Lett, Disturbance or Hindrance from any Person or Persons whatsoever, although such unoccupied Places may not before have been reputed Ships-Rooms, and all such unoccupied Places shall from henceforth be deemed and taken to be Ships-Rooms, any Custom or Usage to the contrary notwithstanding.

Any Part of
Newfound-
land not in use
may be used
for curing and
drying Fish.

III. And

CHAP.

XXXI.

What Boun-
ties are to be
given to Ships
fitted out for
the Whale
Fishery.

Masters and
Mates making
Oath, &c.

III. And in order to induce His Majesty's Subjects in *Great-Britain* and *Ireland*, and the Islands of *Guernsey*, *Jersey*, and *Man*, to carry on the Whale-Fishery on the Coasts of *Newfoundland*, and the Seas adjacent, be it further Enacted by the Authority aforesaid, That the several Bounties hereafter mentioned, shall be allowed annually for Eleven Years, for Five Vessels employed in that Fishery, under the Limitations and Restrictions herein-after expressed, that is to say; such Vessels shall appear by their Register to be *British* built, and owned by His Majesty's Subjects residing in *Great-Britain*, *Ireland*, or the Islands of *Guernsey*, *Jersey*, or *Man*, and navigated with three-fourths of His Majesty's Subjects of *Great-Britain*, *Ireland*, or the Islands of *Guernsey*, *Jersey* or *Man*, besides the Master, and shall be fitted and cleared out from some Port in *Great-Britain* or *Ireland*, or the Islands of *Guernsey*, *Jersey*, or *Man*, after the First Day of *January*, One thousand seven hundred and seventy-six, and after that Day in each succeeding Year, and shall take and kill One Whale at least in the Gulph of *St. Lawrence*, or on the Coast of *Labradore*, *Newfoundland*, or in any Seas to the Southward of the *Greenland* Seas and *Davis's* Streights, and shall return within the same Year to some Port in *England*, with the Oil of such Whale or Whales so taken as aforesaid; and on the Master and Mate of such Vessel, and two of the Mariners belonging to her making Oath before the Collector and Comptroller of the Customs at the Port of her Arrival (which Oath they are hereby authorized and required to administer) that such Oil is the Produce of one or more Whale or Whales taken and killed

killed by the Crew then belonging to such Vessel, CHAP. mentioning the Time when she departed from Great XXXL
Britain, Ireland, or the Islands of Guernsey, Jersey, or Man, and from what Port, and the Time and Place where such Whale or Whales was or were taken and killed, such Oil may be landed without Payment of any Duty whatsoever; and the Collector and Comptroller of such Port shall thereupon forthwith transmit such Oath to the Commissioners of His Majesty's Customs at *London*, any Four or more of whom are hereby authorized and required to order the Receiver-General of His Majesty's Customs to pay out of any Money in his Hands, arising by any Duties under their Management, for the Vessel which shall so arrive in each Year with the greatest Quantity of Oil taken as aforesaid, Five Hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, Four Hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, Three Hundred Pounds; for the Vessel which shall in like Manner arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, Two Hundred Pounds; and for the Vessel which shall so arrive in the same Year with the next greatest Quantity of Oil so taken as aforesaid, One Hundred Pounds; the said Oil so to be imported by each of the said Vessels being the Produce of One Whale at the least; which said several and respective Bounties shall be paid by such Receiver-General within Two Months after the Expiration of each Year, in which such Vessel shall arrive, to the Owner or Owners of such Vessels so intitled

Receiver General of His Majesty's Customs to pay the Bounties.

L

thereto,

CHAP. thereto, or their Assigns, duly authorized to demand
XXXI. the same.

What Persons
are intitled to
the Privilege
of drying Fish
on the Banks
of Newfoundland.

IV. And in order to obviate any Doubts that have arisen or may arise, to whom the Privilege or Right of drying Fish on the Shores of *Newfoundland* does or shall belong, under the before-mentioned Act made in the Tenth and Eleventh Years of the Reign of King *William* the Third, which Right or Privilege has hitherto only been enjoyed by His Majesty's Subjects of *Great-Britain* and the other *British* Dominions in *Europe*; be it Enacted and Declared by the Authority aforesaid, That the said Right and Privilege shall not be held and enjoyed by any of His Majesty's Subjects arriving at *Newfoundland*, from any other Country except from *Great-Britain*, or one of the *British* Dominions in *Europe*.

Provisions and
all Necessaries
for fishing,
may be ex-
ported from
Ireland and
the Isle of
Man, to New-
foundland, be-
ing British or
Irish Product
or Manufac-
ture.

V. And it is hereby further Enacted by the Authority aforesaid, That it shall and may be lawful for any of His Majesty's Subjects residing in *Ireland*, to ship and lade there, and to transport directly from thence to *Newfoundland*, or to any Part of *America*, where the Fishery is now, or shall hereafter be carried on, on board any Ship or Vessel which may lawfully trade or fish there, any Provisions; and also any Hooks, Lines, Netting, or other Tools or Implements necessary for and used in the Fishery by the Crews of the Ships or Vessels carrying out the same; and the Craft belonging to and employed by such Ships or Vessels in the said Fishery, such Provisions, Hooks, Lines, Netting or other Tools or Implements being the Product and Manufacture of *Great Britain* or *Ireland*; and that it shall

shall and may be lawful for any of His Majesty's Sub-
 jects residing in the *Isle of Man*, in like Manner to
 export directly from thence any of the Articles herein-
 before mentioned for the Purpose aforesaid; such Ar-
 ticles being the Product or Manufacture of *Great-Bri-*
tain, or the said *Isle of Man*; any Law, Custom, or
 Usage to the contrary notwithstanding.

VI. Provided always, and it is hereby further en-
 acted by the Authority aforesaid, That the Master or
 other Person taking Charge of such Ship or Vessel shall
 produce to the proper Officer of the Customs in the
 Colony or Plantation where he shall arrive, a Certifi-
 cate under the Hand and Seal of the Collector or
 other Principal Officer of the Customs in the Port
 where he shall have fitted out, that Oath hath been
 made before him by the Shipper of such Provisions,
 Hooks, Lines, Netting, or other Tools and Imple-
 ments, that the same are of the Product and Manu-
 facture of *Great-Britain* or *Ireland*, or the *Isle of Man*
 respectively, as the Fact may be; and that the sever-
 al Articles before mentioned (except the Provisions)
 specifying the Quantities and Particulars of each Sort
 are to be used in the Fishery by the Crews of the res-
 pective Ship or Vessel carrying out the same, and by
 the Craft belonging to and to be employed by such
 Ship or Vessel in the said Fishery, and for no other
 Use or Purpose whatsoever; (which Oath and Certi-
 ficate such Collector or other Officer is hereby autho-
 rized and required to administer and grant without Fee
 or Reward) and on Failure of producing such Certi-
 ficate, or if any such Hooks, Lines, Netting, Tools,
 and Implements, are used or disposed of for any other

Masters of
 Vessels to pro-
 duce Certifi-
 cates from the
 Officer of
 Customs, that
 the Provisions,
 &c. are the
 Product, &c.
 of Great Bri-
 tain or Ireland.

On Failure,
 &c. the Ship
 to be forfeited.

C H A P. Purpose, the same, and the Ship or Vessel having the
 XXXI. same on Board, shall be liable to be seized and forfeited, in the same Manner as they would have been subject and liable, if this Act had not been made; any Thing herein contained to the contrary notwithstanding.

No Fishing
 Ships, or any
 Craft carrying
 Necessaries for
 the Fishery, to
 be liable to any
 Restraint as to
 Time of
 working,

nor to make
 any Entry at
 the Custom-
 house, &c.

VII. And it is hereby further Enacted by the Authority aforesaid, That from and after the First Day of *January*, One thousand seven hundred and seventy-six, all Vessels fitted and cleared out as Fishing-Ships in pursuance of this Act, or of the before-mentioned Act made in the Tenth and Eleventh Years of the Reign of the late King *William* the Third, and which shall be actually employed in the Fishery there, or any Boat or Craft whatsoever employed in carrying Coastwise, to be landed or put on Board any Ships or Vessels any Fish, Oil, Salt Provisions, or other Necessaries for the Use and Purpose of that Fishery, shall not be liable to any Restraint or Regulation with respect to Days or Hours of working, nor to make any Entry at the Custom-house at *Newfoundland*, except a Report to be made by the Master on his first Arrival there, and at his clearing out from thence; and that a Fee not exceeding Two Shillings and Six-pence, shall and may be taken by the Officers of the Customs at *Newfoundland* for each such Report; and that no other Fee shall be taken or demanded by any Officer of the Customs there, upon any other Pretence whatsoever relative to the said Fishery; any Law, Custom, or Usage to the contrary notwithstanding.

VIII. Provided

VIII. Provided always, and be it enacted, That in Case any such Fishing-Ship or Vessel shall at her last clearing out from the said Island of *Newfoundland*, have on Board, or export any Goods or Merchandize whatsoever, except Fish, or Oil made of Fish, such Ship or Vessel, and the Goods thereon laden, shall be subject and liable to the same Securities, Restrictions, and Regulations in all Respects, as they would have been subject and liable to, if this Act had not been made; any Thing herein before contained to the contrary notwithstanding.

C. H. A. P.
XXXI.

If Ships have on Board any other Goods than Fish or Oil, &c. they shall be under the usual Restrictions, &c.

IX. And whereas by an Act made in the Twenty-fifth Year of the Reign of King *Charles the Second*, intituled, *An Act for the Encouragement of the Greenland and Eastland Trades, and for the better securing the Plantation Trade*, and by other Acts of Parliament, it is lawful for any Person or Persons to import into *England* Train-Oil or Blubber of *Greenland*, and Parts adjacent, and those Seas, or of *Newfoundland*, or of any other His Majesty's Colonies and Plantations, made of Fish or of any other Creature living in the Seas, and Whale-Fins caught in any Ships or Vessels truly and properly belonging to *England* or *Wales*, or Town of *Berwick upon Tweed*, and imported in such Ships without paying any Custom or Duty for the same; which Liberty, by a subsequent Act of Parliament, is extended to Ships belonging to *Great-Britain*, and it is reasonable that the same Indulgence should be extended to Oil and Blubber of Fish and other Creatures living in the Sea, and to Whale-Fins caught in any Part of the Ocean by Ships belonging to,

Act 25 C. 2. allowing Train Oil, &c. to be imported Duty-free, recited.

C H A P. to *Great Britain, Ireland, and the Islands of Guernsey, Jersey, and Man*; be it therefore enacted by the Authority aforesaid, That from and after the First Day of *September*, One thousand seven hundred and seventy-five, and after *Sept. 1, 1775*, extended to all Ships belonging to *Great Britain, Ireland, Guernsey, &c.* the Liberty granted by the said Act to import into this Kingdom Oil or Blubber of Fish, or other Creatures living in the Sea, or Whale-Fins taken within the Limits therein mentioned, Duty free, shall extend, and be construed to extend to such Oil or Blubber, or Whale-Fins, as shall be so taken in any Part of the Ocean by, and imported in any Ship or Vessel truly and properly belonging to His Majesty's Subjects of *Great-Britain, Ireland, or the Islands of Guernsey, Jersey, or Man*; any Law, Custom, or Usage to the contrary notwithstanding.

After Sept. 1, 1775, undressed Seal Skins may be imported Duty-free.

X. And it is hereby further enacted by the Authority aforesaid, That from and after the First Day of *September*, One thousand seven hundred and seventy-five, it shall and may be lawful for any Person or Persons to import into this Kingdom any raw and undressed Seal-Skins taken and caught by the Crews of Vessels belonging to and fitted out either from *Great-Britain, Ireland, or the Islands of Guernsey, Jersey, or Man* respectively, and whereof the Captain or Master, and Three-fourths at the least of the Mariners are His Majesty's Subjects, or by Persons employed by the Masters or Owners of such Vessels, without paying any Custom, Subsidy, or other Duty for the same; any Law or Usage to the contrary notwithstanding.

XI. Pro-

XI. Provided always, That nothing in this Act shall extend, or be construed to extend, to give Liberty of importing any such Seal-Skins Duty-free, unless the Captain or Person having the Charge or Command of such Ship or Vessel importing the same, shall make Oath before the Collector or other principal Officer of the Customs at the Port of Importation (who is hereby authorized and required to administer such Oath) that all the Skins imported in such Ship or Vessel, were really and *bona fide* the Skins of Seals taken and caught by the Crews thereof, or by Persons employed by the Master or Owner of such Ship or Vessel, or of some other Ship or Vessel qualified as aforesaid; and such Seal-Skins shall be also duly entered at the Custom-house for the said Port, and landed in the Presence of the proper Officer or Officers of the Customs appointed for that Purpose; and on Failure of any of these Conditions, such Skins shall be liable to pay the same Duties as they would have been subject and liable to, if this Act had not been made, any Thing herein contained to the contrary notwithstanding.

СНАР.
XXXI.

Not to extend
to any Seal
Skins except
those import-
ed by Ships
qualified as
aforesaid.

and duly entered at the Custom-house, &c..

XII. And whereas it has been a Practice of late Years for divers Persons to seduce the Fishermen, Sailors, Artificers, and others employed in carrying on the Fishery, arriving at *Newfoundland*, on Board Fishing and other Vessels from *Great-Britain* and the *British* Dominions in *Europe*, to go from thence to the Continent of *America*, to the great Detriment of the Fishery and the Naval Force of this Kingdom : Now, in order to remedy the said Evil, and to secure the

No ship-mas-
ter to carry
any Fisher-
men, &c. as
Passengers to
any Part of
the Continent
of America
without Per-
mission.

C H A P. the Return of the said Fishermen, Sailors, Artificers,
XXXI. and others employed as aforesaid, to the *British* Domi-
 ~~~~~ nions in *Europe*, be it further enacted by the Autho-  
 rity aforesaid, That from and after the First Day of  
*January*, One thousand seven hundred and seventy-six,  
 it shall not be lawful for the Master or Person having  
 the Charge or Command of any Ship or Vessel trading  
 to or from any Place within the Government of *New-*  
*foundland*, to carry or convey as Passengers any such  
 Fishermen, Sailors, Artificers, and others employed  
 as aforesaid, from thence to any Part of the Conti-  
 nent of *America*, without the Permission under the  
 Hand and Seal of the Governor of the said Island of  
*Newfoundland*, under the Penalty of forfeiting Two  
 hundred Pounds for every such Offence.

under the Pe-  
 nalty of 200l.

Regulations  
 for Persons  
 employing  
 Seamen or  
 Fishermen at  
*Newfound-*  
*land*.

**XIII.** And whereas in several Acts passed in the  
 Eleventh and Twelfth Years of *William* the Third,  
 the Eighth of *George* the First, and Second and  
 Twelfth of *George* the Second, Provision has been  
 made to prevent Seamen and Mariners in the Mer-  
 chants Service, being wilfully left beyond Sea, and  
 to secure and provide for their Return home to such  
 Part of His Majesty's Dominions whereto they belong :  
 And whereas for Want of such Provisions being ex-  
 tended to Seamen and Fishermen going out as Passen-  
 gers to *Newfoundland*, and hired and employed in the  
 Fisheries carried on there, great Numbers of them  
 remain in that Country at the End of every Fishing-  
 Season, who would otherwise return home, and some  
 of them have frequently turned Robbers and Pirates :  
 For Remedy of which Evil, be it enacted by the Au-  
 thority aforesaid, That no Person or Persons whatsoe-  
 ver



ver shall, from and after the First Day of *January*, One thousand seven hundred and seventy-six, employ, or cause to be employed at *Newfoundland*, for the Purpose of carrying on the Fishery there, any Seaman or Fisherman going as Passengers, or any Seaman or Fisherman hired there, without first entering into an Agreement or Contract in Writing with every such Seaman or Fisherman, declaring what Wages such Seaman or Fisherman is to have, and the Time for which he shall serve, which shall be signed by both Parties, wherein it shall be stipulated (amongst other Things) that the Person so hiring or employing, shall be at Liberty to reserve, retain, and deduct, and he is hereby authorized, required, and directed to reserve, retain, and deduct out of the Wages of every Person so hired or employed, a Sum of Money equal to the then current Price of a Man's Passage home, not exceeding Forty Shillings for each Man, which Money such Hirer or Employer shall, at the End of each Fishing-Season, or at the Expiration of the covenanted Time of Service of such Seaman or Fisherman, pay or cause to be paid to the Master of a Passage or other Ship, who shall undertake or agree to carry such Seaman or Fisherman home to the Country whereto he belongs, and shall also convey such Seaman or Fisherman to and on Board such Passage or other Ship, taking the Master's Receipt for the Passage-Money, which Receipt he shall immediately thereupon deliver to such Seaman or Fisherman.

XIV. And be it further enacted by the Authority Employers to   
 aforesaid, That no Hirer or Employer of any such pay to Fish-   
 Seaman or Fisherman shall pay, or advance, or cause men, &c. on-   
 ly half of their

M

to

**C H A P.** to paid or advanced, to such Seaman or Fisherman, in  
**XXXI.** Money, Liquor, and Goods, or either of them, du-  
 ring the Time he shall be in his Service, more than  
 one Half of the Wages which shall at any Time be  
 due to him; but such Hirer or Employer shall and is  
 hereby required and directed, immediately at or upon  
 the Expiration of every such Man's covenanted Time  
 of Service, to pay either in Money, or in good Bills  
 of Exchange, payable either in *Great Britain* or *Ire-*  
*land*, or in the Country to which such Seamen or  
 Fisherman belongs, the full Balance of his Wages,  
 except the Money herein before directed to be retained  
 for his Passage home; and it shall not be lawful for  
 any such Hirer or Employer to turn away or discharge  
 any such Seaman or Fisherman, except for wilful Neg-  
 lect of Duty, or other sufficient Cause, before the Expi-  
 ration of his covenanted Time of Service; and in  
 Case the Hirer or Employer of any such Seaman or  
 Fisherman shall refuse or neglect to comply with any  
 of the Terms herein before-mentioned, or shall other-  
 wise offend against this Act, every such Person so of-  
 fending, shall forfeit and pay for every such Offence,  
 besides the Balance that shall be due to such Seaman  
 or Fisherman, the Money herein before directed to be  
 retained for his Passage home, the Sum of Ten Pounds,  
 to the Use of such Person or Persons who shall inform  
 or sue for the same.

Wages, and  
 the other half  
 in Bills, &c.  
 at their Re-  
 turn home.

Penalty on  
 Employers  
 neglecting to  
 comply.

If any Dispute  
 arise, Employ-  
 ers obliged to  
 produce the  
 Contract.

**XV.** And be it further enacted by the Authority  
 aforesaid, That in all Cases where Disputes shall arise  
 concerning the Wages of any such Seaman or Fisher-  
 man, the Hirer or Employer shall be obliged to pro-  
 duce the Contract or Agreement in Writing, herein  
 before

before directed to be entered into, with every such CHAP.  
Seaman or Fisherman.

XXXI.

XVI. And be it further enacted by the Authority All Fish and Oil liable to the Payment of Wages.  
aforesaid, That all the Fish and Oil which shall be taken and made by the Person or Persons who shall hire or employ such Seaman or Fisherman shall be subject and liable, in the first Place, to the Payment of the Wages of every such Seaman or Fisherman.

XVII. And be it further enacted by the Authority Penalty on Seamen or Fishermen absenting themselves from their Employers without Leave.  
aforesaid, That in Case any such Seaman or Fisherman shall at any Time wilfully absent himself from his Duty or Employ, without the Leave and Consent of his Hirer or Employer, or shall wilfully neglect or refuse to work, according to the true Intent and Meaning of such Contract or Agreement, he shall, for every Day he shall so absent himself, or neglect or refuse to work as aforesaid, forfeit Two Days Pay to such Hirer or Employer; and if any such Seaman or Fisherman shall wilfully absent himself from his said Duty or Employ for the Space of Five Days, without such Leave as aforesaid, he shall be deemed a Deserter, and shall forfeit to such Hirer or Employer all such Wages as shall at the Time of such Desertion be due to him (except so much as is herein before directed to be reserved and retained for the Purpose of paying his Passage home); and it shall and may be lawful to and for the Governor of *Newfoundland*, or his Surrogates, or the Commissary of the Vice-Admiralty Court for the Time being, or for any Justice of the Peace in *Newfoundland*, to issue his or their Warrant or Warrants to apprehend every such Deserter, and on the



**C H A P. XXXI.** Oath of One or more credible Witness or Witnesses, to commit him to Prison, there to remain until the next Court of Session which shall be holden in Pursuance of the Commission of the said Governor for the Time being; and if found guilty of the said Offence at such Session, it shall and may be lawful to and for the said Court of Session to order such Deserter to be publickly whipped as a Vagrant, and afterwards to be put on Board a Passage-Ship, in Order to his being conveyed back to the Country whereto he belongs.

Disputes, and all Offences; to be determined by the Court of Session, &c. at Newfoundland.

**XVIII.** And be it further enacted by the Authority aforesaid, That all Disputes which shall arise concerning the Wages of every or any such Seaman or Fisherman; and all Offences which shall be committed by every Hirer or Employer of such Seaman or Fisherman against this Act, shall and may be enquired into; heard and determined; and the Penalties and Forfeitures thereby incurred; shall and may be recovered in the Court of Session herein before mentioned, or in the Court of Vice-Admiralty having Jurisdiction in the said Island of *Newfoundland*.

Act 6 Anne respecting Sailors employed in Trading Ships, &c. in America not liable to be impressed, repealed.

**XIX.** And whereas by an Act of Parliament passed in the Sixth Year of the Reign of Her late Majesty *Queen Anne*; intituled, *An Act for the Encouragement of the Trade to America*; it is amongst other Things enacted, “ That no Mariner or other Person  
“ who shall serve on Board, or be retained to serve  
“ on Board any Privateer or Trading Ship or Vessel that shall be employed in any Part of *America*,  
“ nor any Mariner or other Person being on Shore in  
“ any Part thereof, shall be liable to be impressed or taken  
taken

“ taken away by any Officer or Officers of or belonging to any of Her Majesty's Ships of War impressed by the Lord High Admiral, or any other Person whatsoever, unless such Mariner shall have before deserted from such Ship of War.” And whereas the said Privilege or Exemption so given by the said Act to Mariners serving on Board Ships or Vessels employed in any of the Seas or Ports of the Continent of *America*, or residing on Shore there, is prejudicial to the Fisheries carried on by His Majesty's Subjects of *Great-Britain* and *Ireland*, and others His Majesty's Dominions in *Europe*, and has proved an Encouragement to Mariners belonging thereto to desert in Time of War, or at the Appearance of a War, to the *British* Plantations on the said Continent of *America*; be it therefore enacted by the Authority aforesaid, That the said Clause, so far as it relates to the exempting of Mariners or other Persons serving, or retained to serve in any Ship or Vessel in the Seas or Ports of the Continent of *America*, or other Persons on Shore there, from being impressed, be, and the same is hereby repealed.

XX. And whereas the immoderate Use of Rum and other Spirits imported into *Newfoundland* from His Majesty's Colonies and Plantations in *America*, has been found to be highly detrimental to the Fisheries carried on there, and it is therefore proper to endeavour to diminish the Consumption thereof, be it enacted by the Authority aforesaid, That from and after the First Day of *January*, One thousand seven hundred and seventy-six, there shall be paid in to His Majesty, His Heirs and Successors, for every Gallon of

Rum, &c. imported into *Newfoundland* from *America* to pay a Duty of 1s. per Gallon.

CHAP. of Rum or other Spirits which shall be brought or  
 XXXI. imported into the Island of *Newfoundland*, from any  
*British* Colony or Plantation on the Continent of *Ame-*  
*rica*, the Sum of One Shilling Sterling Money of  
*Great-Britain*, and the same shall be collected, reco-  
 vered, and paid, to the Amount of the Value of which  
 such nominal Sum bears in *Great-Britain*, and may  
 be received and taken according to the Proportion and  
 Value of Five Shillings and Six-pence the Ounce in  
 Silver; and the said Duty hereby granted, shall be  
 raised, levied, collected, paid, and recovered in the  
 same Manner and Form, and by such Rules, Ways  
 and Means, and under such Penalties and Forfeitures,  
 except in such Cases where any Alteration is made  
 by this Act, as any other Duties payable to His Ma-  
 jesty upon Goods imported into any *British* Colony or  
 Plantation in *America*, are raised, levied, collected,  
 paid, and recovered by any Act or Acts of Parliament,  
 as fully and effectually, to all Intents and Purposes, as  
 if the several Clauses, Powers, Directions, Penalties,  
 and Forfeitures relating thereto, were particularly re-  
 peated and again enacted in the Body of this present  
 Act; and that all the Monies that shall arise by the  
 said Duty (except the necessary Charges of raising,  
 collecting, levying, recovering, answering, paying,  
 and accounting for the same) shall be paid into the  
 Receipt of His Majesty's Exchequer, and applied and  
 appropriated to the same Uses and Purposes, as the  
 Duties arising by that Part of the Customs commonly  
 called the Old Subsidy, payable in *Great-Britain*, are  
 applied and appropriated.

How such  
 Duty is to be  
 collected, re-  
 covered, and  
 applied.

XXI. And



XXI. And whereas the Bounties given by an Act C H A P. of Parliament made in the Eleventh Year of the XXXI. Reign of His present Majesty, intituled, *An Act for the better Support and Establishment of the Greenland and Whale Fisheries*, have been found of great Advantage to the Navigation, Trade and Manufactures of this Kingdom, and it is just and expedient that the like Bounties which are granted by that Act to Ships fitted out from *Great-Britain*, or any of His Majesty's Dominions in *America* for those Fisheries, should in like Manner be granted to Ships fitted out for that Purpose from the Kingdom of *Ireland*; be it therefore Enacted by the Authority aforesaid, That from and after the Twenty-fifth Day of *December*, One thousand seven hundred and seventy-five, the respective Bounties herein-after mentioned, shall be allowed for every Ship or Vessel *British* built and owned by his Majesty's Subjects of *Ireland*, and whereof the Captain or Master, and at least one third of the Mariners are His Majesty's Subjects of *Great-Britain* or *Ireland*, which shall proceed from any Port in the said Kingdom of *Ireland*, within the Time limited by this Act, on the Whale-Fishery to the *Greenland* Seas and *Davis's* Streights, and the adjacent Seas, under the several Rules and Restrictions herein after expressed, that is to say, every such Ship or Vessel, before she proceeds on such Voyage, shall be visited by the proper Officer or Officers of the Customs belonging to such Port, who shall examine into such Ship or Vessel, and take an Account of the Tonnage thereof by Admeasurement, and shall certify such his or their Visitation, Examination, and Admeasurement to the Commissioners of His Majesty's Revenue in *Ireland*; and if it appears by the Certificate of such Officer

After Dec. 25.  
1775, Bounties  
granted by  
Act 11 G. 3.  
extended to  
Ireland.

Officers to  
certify that  
Ships are pro-  
perly fitted out  
before they  
proceed on  
their Voyage.

С Н А Р. Officer or Officers, that she hath on Board such a  
 XXXI. Number of Men, Provisions, Boats, Fishing-Lines,  
 and Instruments to be used in such Fishery as herein-  
 after are mentioned; that she is strongly built, and  
 otherwise a proper Ship for such Voyage and Fishery,  
 and hath on Board among her Crew a sufficient Num-  
 ber of Harpooners, Steersmen, and Line-Managers,  
 who have been before employed in such Voyages (the  
 Names of such Persons to be contained in such Certi-  
 ficate); and if it further appears, by the Oath of one  
 or more Owner or Owners, and of the Master or Chief  
 Officer of such Ship, written at the Foot of such Cer-  
 tificate, and made before the Collector or Comptroller  
 of such Port (who are hereby impowered and required  
 to administer the same) that it is really and truly their  
 firm Purpose and determined Resolution, that such  
 Ship shall, as soon as Licence shall be granted, forth-  
 with proceed so manned, furnished, and accoutred, on  
 a Voyage to the *Greenland Seas* or *Davis's Straights*,  
 or the Seas adjacent, and there, in the then approach-  
 ing Season, to use the utmost Endeavours of them-  
 selves, and their Ships Company to take Whales, or  
 other Creatures living in the Sea, and on no other De-  
 sign or View of Profit in such Voyage, and to import  
 the Whale-Fins, Oil, and Blubber thereof into the  
 Kingdom of *Great-Britain* (naming the Port to which  
 it is their Intention to return); and if the Master, after  
 such Certificate had, and Oath made, do also become  
 bound with two sufficient Securities unto His Majesty,  
 His Heirs and Successors, in the Penalty of such Sum  
 as shall be equal to treble the Bounty intended by this  
 Act (which Bond the said Collector, with the Appro-  
 bation of the Comptroller, is hereby required to take,  
 and

and is to be in Force for the Term of Three Years C H A P.  
 against the Master and Sureties for the faithful Dealings XXXI.  
 of the said Master and Ship's Company in regard to  
 the said Ship and Voyage) then, and in all such Cases,  
 it shall and may be lawful for any Three or more of  
 the said Commissioners of the Revenues in *Ireland* for  
 the Time being, on receiving such Certificates and  
 Oaths made, and it being certified to them by the  
 Collector and Comptroller of such Port, that sufficient  
 Security hath been given as aforesaid, to give and  
 grant, and they are hereby required to give and grant,  
 to the Master and Owners of such Ship, full Licence  
 and Authority to proceed on such Voyage as afore-  
 said.

Commissioners  
 of the Reve-  
 nue in Ireland  
 on receiving  
 such Certifi-  
 cates to grant  
 Licence, &c.

XXII. And to prevent any Disputes that may arise,  
 whether a Ship be properly qualified and duly fitted  
 out for the Whale-Fishery, according to the true In-  
 tent and Meaning of this Act, and intituled to a Certi-  
 ficate thereof from the Custom-house Officers; it is  
 hereby Enacted, That every Ship of the Burthen of  
 Two Hundred Tons, designed for this Fishery, shall,  
 and is hereby obliged to have on Board Forty Fishing-  
 Lines of One Hundred and Twenty Fathom each,  
 Forty Harpoon-Irons, Four Boats with seven Men,  
 including a Harpooneer, a Steersman, and a Line-Ma-  
 nager to each Boat, making in the whole Twenty-  
 eight Men, besides the Master and Surgeon, with Six  
 Months Provision at the least for such Number of Men;  
 and every Ship of larger Burthen an Increase of six  
 Men, one Boat, ten such Lines, and ten Harpoon-  
 Irons more for every fifty Tons above the said two  
 hundred Tons, together with Provisions in Pro-

What Number  
 of Men, Lines,  
 Boats, &c.  
 Ships of cer-  
 tain Dimensi-  
 ons shall have  
 on Board.

N

portion;



**C H A P.** portion; and every Ship which shall be so employed  
**XXXI.** in the said Fishery, shall have on Board an Appren-  
 ~~~~~ tice indentured for the Space of three Years at the least  
 for every fifty Tons Burthen, who shall be accounted
 as one of the Number of Men required to be on Board
 such Ship as aforesaid.

On Return of
 Ships proper
 Officers to go
 on Board and
 inspect the
 Cargo, &c.

and take an
 Account of
 the Names of
 the Masters,
 Harpooners,
 &c.

XXIII. And be it further enacted by the Authority
 aforesaid, That on the Return of such Ship to the
 Port to which the Master and Mate declared on Oath
 their Intention to return, the proper Officers of the
 Customs at such Port shall immediately repair on
 Board and view the Condition of such Ship and her
 Lading, and certify the same, together with their Ob-
 servations thereon, as also of the real Tonnage of the
 said Ship; and the said Officers are also to take an Ac-
 count or Schedule of the Names of the Master, Mate,
 and other Persons on Board, distinguishing therein the
 Harpooners and Persons more immediately employed
 in the said Fishery, and to certify the same; and the
 Master and Mate shall make Oath before the Collector
 and Comptroller (who are hereby impowered and re-
 quired to administer the same) on the Back of, or
 annexed to the Licence granted as aforesaid, which
 they are hereby then required to deliver up, that they
 did in pursuance thereof, mentioning the Day of their
 Departure, proceed on a Voyage directly to the Places
 aforesaid, and have not since been on any other Voy-
 age, or pursued any other Design or View of Profit;
 and that they did there (mentioning the Time of their
 Stay in those Seas) use the utmost Endeavour of them-
 selves and their Ship's Company, to take Whales and
 other Creatures living in those Seas; and that all the
 Whale-

Whale-Fins, Oil and Blubber imported (if any) in CHAP.
 such Ship was really and *bona fide* caught and taken in XXXI.
 the said Seas by the Crew of such Ship only, or with
 the Assistance of the Crew of some other Ship duly li-
 censed for that Voyage, pursuant to the Directions of
 this Act; all which Schedule, Certificate, Licence,
 and Oath shall be transmitted by the Collector and
 Comptroller of such Port to the respective Commissi-
 oners of the Customs for that Part of *Great-Britain*
 where such Ships shall arrive; and such Commissioners
 being fully satisfied of the faithful Dealings of the
 Master and other Persons employed in such Ships with
 respect to such Voyage and Fishery, shall, on Demand,
 cause Payment to be made to the Master or Owners,
 or to his or their Assigns, by the Receiver-General of
 the Customs for that Part of *Great-Britain* where such
 Ship shall arrive, the Bounty or Premium following,
 according to the Admeasurement of such Ship duly
 certified as aforesaid, that is to say, for every such
 Ship as shall proceed on the said Fishery, from the
 Twenty-fifth Day of *December*, One thousand seven
 hundred and seventy-five, to the Twenty-fifth Day of
December, One thousand seven hundred and seventy-
 six, the Sum of Forty Shillings *per* Ton; and for eve-
 ry such Ship as shall proceed on the said Fishery from
 the Twenty-fifth Day of *December*, One thousand
 seven hundred and seventy-six, to the Twenty-fifth
 Day of *December*, One thousand seven hundred and
 eighty-one, the Sum of Thirty Shillings *per* Ton;
 and for every such Ship as shall proceed on the said
 Fishery from the Twenty-fifth Day of *December*, One
 thousand seven hundred and eighty-one, to the Twen-
 ty-fifth Day of *December*, One thousand seven hun-

Commissioners
 being satisfied
 of the faithful
 Dealing of
 the Master,
 &c. to pay the
 Bounties as di-
 rected, accord-
 ing to the Ad-
 measurement
 of the Ships,

C. H. A. P. dred and eighty-six, the Sum of Twenty Shillings
XXXI. per Ton.

Certain Pro-
visoes respect-
ings Ships be-
fore any Per-
son be intitled
to the Bounty.

XXIV. Provided always, and it is hereby further
Enacted by the Authority aforesaid, That no Person
or Persons shall be allowed or intitled to receive the
Bounty herein before granted for any Ship which shall
proceed on the said Whale Fishery after the Twenty-
fifth Day of *December*, One thousand seven hundred
and seventy-five, unless such Ship shall sail from the
Port where she shall be surveyed and cleared directly
on her intended Fishery, on or before the Tenth Day
of *April* in each and every Year, and shall continue
with her Crew in the *Greenland Seas*, or *Davis's*
Streights, or the adjacent Seas, diligently endeavouring
to catch Whales or other Creatures living in those
Seas, and shall not depart from thence before the
Tenth Day of *August* then following, unless such Ship
shall be laden with the Blubber and Fins of one Whale
caught by the Crew thereof, or with the Assistance of
the Crew of some other licensed Ship before that Time,
or shall be forced by some unavoidable Accident or
Necessity to depart sooner from those Seas; which Ac-
cident or Necessity shall be verified on the Oaths of the
Master and Mate belonging to such Ship, upon her
return from the said Fishery, before the Collector and
Comptroller of the Customs at the Port where she shall
arrive, who shall transmit the same, together with the
Schedule, Licence, and other Documents by this Act
required, to the respective Commissioners of the Cus-
toms for that Part of *Great-Britain* where she shall
arrive.

XXV. And

XXV. And be it further enacted by the Authority CHAP.
aforesaid, That it shall and may be lawful to and for XXXI.
the Commissioners of the Customs in *England* and
Scotland respectively, to order the respective Receivers-
General of the Customs, in case the Monies remaining
in their Hands arising from the Old Subsidy, shall not
be sufficient at any Time or Times during the Conti-
nuance of this Act, to satisfy the said Bounty of For-
ty Shillings *per Ton*, and Thirty Shillings *per Ton*,
and Twenty Shillings *per Ton*, during the several Pe-
riods herein before limited, payable on all Ships em-
ployed in the said Fishery according to the Directions
of this present Act, to pay the same out of any Money
that shall be in their Hands arising from any of the
Duties and Revenues under their Management re-
spectively.

Monies arising from the Old Subsidy be not sufficient to pay Bounties, any other Revenue Money may be taken.

XXVI. And be it enacted by the Authority afore-
said, That the Commissioners of His Majesty's Cus-
toms in *England* and *Scotland* respectively, shall, at the
Beginning of every Session of Parliament, lay before
both Houses of Parliament, an Account in Writing
under their Hands, of what Number of Ships em-
ployed in the Whale Fishery to *Davis's Streights*
and the *Greenland Seas*, in pursuance of this Act, with
their respective Names and Burthens, have returned to
Great-Britain, and at what Port in *Great-Britain* they
were discharged, and also what Quantity of Oil,
Blubber, or Whale-Fins each Ship shall have import-
ed, and from what Port in *Ireland*, or the *Isle of Man*
they were fitted out.

Commissioners, at the Beginning of every Session of Parliament, to lay before them an Account of the Ships employed in the Whale-Fishery, &c.

XXVII. And

C H A P. XXXI. **XXVII.** And whereas it hath been found by Experience, that Ships under the Burthen of Two hundred Tons are fit for the said Fishery; be it therefore Enacted and declared by the Authority aforesaid, That every Owner or Owners of any Ship or Ships under the Burthen of Two hundred Tons, which shall be employed in the said Fishery, who have conformed themselves in all Respects to the Rules and Directions herein before prescribed to the Owners of Ships of Two hundred Tons, shall be intitled to the said Bounty as herein before limited, according to the Admeasurement of such Ship or Ships respectively.

Ships under 200 Tons intitled to a Bounty proportionable to their Admeasurement.

XXVIII. Provided always, and be it Enacted by the Authority aforesaid, That no Ship to be employed in the said Fishery, although she be above the Burthen of Four hundred Tons, shall be intitled to a larger Bounty than a Ship of Four hundred Tons would be intitled to.

Ships above 400 Tons not intitled to a larger Bounty than a 400 Ton Ship;

XXIX. Provided also, That nothing in this present Act contained, shall extend, or be construed to extend, to oblige the Owner or Owners of any Ship above the Burthen of Four hundred Tons, in order to intitle him or them to the said Bounty, to fit out, equip, and man any such Ship, otherwise than as a Ship of the Burthen of Four hundred Tons only, is by this present Act required to be fitted out, equipped and manned,

and Owners not obliged to equip, &c. more than a Ship of 400 Tons.

XXX. Provided also, and it is hereby further Enacted by the Authority aforesaid, That every Appren-
tice

No Appren- tice, when indentured, to

tice indentured after the Twenty-fifth Day of *Decem-ber*, One thousand seven hundred and seventy-five, to serve on Board any Ship or Vessel proceeding on the Fisheries in pursuance of this or any other Act of Parliament now in Force, granting any Bounty or Bounties thereon, shall not exceed the Age of Eighteen Years, nor be under Fourteen, at the Time he shall be so indentured; and that no Bounty shall be allowed or paid for any Ship or Vessel so employed, either by Virtue of this or any former Act of Parliament, unless the whole and entire Property of such Ship or Vessel shall belong to some of His Majesty's Subjects residing in that Part of His Majesty's Dominions from whence such Ship or Vessel shall be respectively fitted and cleared out; any Law, Custom, or Usage to the contrary notwithstanding.

C H A P.
 XXXI.

exceed 18
 nor be under
 14 Years;

and no Bounty
 to be paid un-
 less Ships em-
 ployed belong
 to some of His
 Majesty's Sub-
 jects where
 fitted out.

XXXI. And to prevent any Application to Parlia-ment for the Bounty on any Ship employed in either of the Fisheries before mentioned, which may happen to be lost at Sea before their Return to *Great-Britain*, be it Declared and Enacted by the Authority aforesaid, That it shall and may be lawful for the Owner or Owners of any Ship employed, or designed to be employed in the said Fisheries, or either of them, to insure the Bounty which such Owner or Owners would have been intitled to upon the Return of such Ship to *Great-Britain*, on the Performance of all other Matters directed and appointed by this present Act to be performed for obtaining the said Bounties.

Bounties may
 be insured.

XXXII. And it is hereby further Enacted by the Authority aforesaid, That if any Person or Persons shall give

Persons giving
 false Certif-

give-

C H A P. give or grant any false Certificate for any of the Pur-
XXXI. poses required or directed by this Act, such Person or
 Persons shall forfeit the Sum of Five Hundred Pounds,
 and be rendered incapable of serving His Majesty, His
 Heirs or Successors, in any Office whatsoever; and if
 any Person or Persons shall counterfeit, erase, alter, or
 falsify any Certificate required or directed by this Act,
 or shall knowingly or willingly make use of any false
 Certificate, or of any Certificate so counterfeited, era-
 sed, altered, or falsified, such Person or Persons shall
 for every such Offence forfeit the Sum of Five Hun-
 dred Pounds, and every such Certificate shall be inva-
 lid and of no Effect.

Forfeitures
 how to be ap-
 plied.

XXXIII. And it is hereby further Enacted by the
 Authority aforesaid, That one Moiety of the Penalties
 and Forfeitures inflicted by this Act (except in such
 Cases where other Directions are given by this Act)
 shall be to the Use of His Majesty, His Heirs and
 Successors, and the other Moiety to such Officer or
 Officers of the Customs as shall sue or prosecute for
 the same in any of His Majesty's Courts of Record at
Westminster or *Dublin*, or in the Court of Exchequer
 in *Scotland*, or in any Court of Admiralty having Ju-
 risdiction in His Majesty's Colonies or Islands respect-
 ively, where the Offence shall be committed.

Forfeitures
 incurred in
 Newfoundland
 to be
 sued for in the
 Vice-Admi-
 ralty Court in
 said Island.

XXXIV. And be it further Enacted by the Au-
 thority aforesaid, That from and after the First Day
 of *January*, One thousand seven hundred and seventy-
 six, the Penalties and Forfeitures inflicted by any Act
 of Parliament relating to the Trade or Revenues of
 the *British* Colonies or Plantations in *America*, which
 shall be incurred in the said Island of *Newfoundland*,
 shall be sued for, prosecuted, and recovered in the
 Court

Court of Vice-Admiralty having Jurisdiction in the CHAP. said Island, and in no other; and if any Person or XXXI. Persons shall think him or themselves aggrieved by any Judgment, Sentence, or Determination of any Court of Vice-Admiralty, or other Court having Jurisdiction in *Newfoundland*, upon any Suit or Prosecution commenced there for any Penalty or Forfeiture inflicted by any Act of Parliament relating to the Trade or Revenues of the *British* Colonies or Plantations in *America*, it shall and may be lawful for such Party to appeal from such Judgment, Sentence, or Determination, in the first Instance, to the proper Court of Admiralty in *Great-Britain*, or to His Majesty in Council; and that no Appeal shall in such Case lie or be brought in any other Court or Jurisdiction whatsoever; any Law, Custom, or Usage to the contrary notwithstanding.

Persons aggrieved may appeal to the proper Admiralty Court in Britain.

XXXV. And it is hereby further enacted by the Authority aforesaid, That from and after the First Day of *January*, One thousand seven hundred and seventy-six, the Customs and other Duties which now are or hereafter may be due and payable upon any Goods or Merchandizes brought or imported into, or exported or carried from the Island of *Newfoundland*, by Virtue of this or any Act or Acts of Parliament, and the Officers of His Majesty's Customs appointed for executing and carrying into Execution the several Laws relating to the Trade and Revenue there, shall be under the Management and Direction of the Commissioners of His Majesty's Customs in *England* for the Time being, under the Authority and Direction of the High-Treasurer of *Great-Britain*, or the

Duties on Goods exported or imported to be under the Direction of the Commissioners of Customs, &c.

W. A. O. and the Commissioners of Customs.

C. H. A. P. Commissioners of the Treasury for the Time being;
XXXI. any Law, Patent, Custom, or Usage to the contrary notwithstanding.

Deputations
 granted by the
 Commission-
 ers for North
 America be-
 fore Jan. 1,
 1776, to any
 Officers for
 Newfound-
 land to be in
 Force.

XXXVI. Provided always, and it is hereby fur-
 ther enacted by the Authority aforesaid, That all De-
 putations, and other Authorities granted by the Com-
 missioners of the Customs for *North-America* before
 the said First Day of *January*, One thousand seven
 hundred and seventy-six, to any Officer or Officers
 acting in and for the said Island of *Newfoundland*, shall
 continue in Force, as fully to all Intents and Purpos-
 es, as if this Act had not been made, until the De-
 putations or other Authorities so granted to such Of-
 ficer or Officers respectively, shall be revoked, annul-
 led, or made void by the High-Treasurer of *Great-
 Britain*, or Commissioners of the Treasury for the
 Time being.

Persons sued
 for any Thing
 done in Pur-
 suance of this
 Act may plead
 the General
 Issue,
 and recover
 treble Costs.

XXXVII. And be it further enacted by the Au-
 thority aforesaid, That if any Action or Suit shall be
 commenced against any Person or Persons for any
 Thing done in Pursuance of this Act of Parliament,
 the Defendant or Defendants in such Action or Suit
 may plead the General Issue, and give this Act and the
 Special Matter in Evidence at any Trial to be had
 thereupon, and that the same was done in Pursuance
 of, and by the Authority of this Act; and if it shall
 appear so to have been done, the Jury shall find for
 the Defendant or Defendants; and if the Plaintiff
 shall be nonsuited, or discontinue his Action, after the
 Defendant or Defendants have appeared, or if Judge-
 ment shall be given upon any Verdict or Demurrer
 against the Plaintiff, the Defendant or Defendants
 shall recover treble Costs, and have the like Remedy
 for the same as Defendants have in other Cases by Law.

A N

A N
A C T

F O R

The Improvement of the Fisheries of
this Kingdom.

Anno Regni decimo quinto & sexto Georgii III. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee
of the late BOULTER GRIERSON, Printer to the
King's Most Excellent Majesty. 1778.

A N

T

FOR

The Improvement of the Fisheries of
this Kingdom.

James Roper, Printer, at the Sign of the Crown, in St. Dunstons Church-yard, near St. Dunstons Church, in the City of London.



D U B L I N :

Printed by the Direction of David HAY, Attorney
at Law, in the Strand, Printer to the
King's Bench, in the Year 1778.

Anno Regni decimo quinto & sexto

G E O R G I I I. Regis.

A. N.

A

C

T

F O R

**The Improvement of the Fisheries
of this Kingdom.**

C H A P. XIX.

WHEREAS the Fisheries carried on by the
Subjects of His Majesty's Dominions in *Europe*,
have been found to be the best Nurseries for able and
experienced Seamen, always ready to man the Royal
Navy when Occasions require; and it is therefore of
the highest National Importance to give all due En-
couragement to the said Fisheries, and to endeavour
to secure the Annual Return of the Fishermen, Sai-
lors, and others employed therein, to the Ports of
His

**CHAP.
XIX.**

Preamble

C H A P. His Majesty's said Dominions, at the End of every
XIX. Fishing Season: Now, in Order to promote these great

and important Purposes, and with a View, in the first Place, to induce His Majesty's Subjects to proceed early from the Ports of this Kingdom to the Banks of *Newfoundland*, and thereby to prosecute the Fishery on the said Banks to the greatest Advantage; Be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *January*, One thousand seven hundred and seventy-six, the respective Bounties, herein after-mentioned, shall be paid and allowed annually, for Eleven Years, for a certain Number of Ships or Vessels employed in the *British* Fishery on the Banks of *Newfoundland*, under the Limitations and Restrictions herein-after mentioned, that is to say, such Vessels as shall appear by their Register to be *British*-built, and owned by His Majesty's Subjects residing in *Great-Britain* or *Ireland*, and shall be of the Burthen of Fifty Tons or upwards, and navigated with no less than Fifteen Men each, Three-fourths of whom, besides the Master, shall be His Majesty's Subjects, and in other Respects qualified and subject to the same Rules and Restrictions as are described by an Act made in *Great-Britain* in the Tenth and Eleventh Years of the Reign of the late King *William* the Third, intituled, *An Act to encourage the Trade to Newfoundland*; and shall be fitted and cleared out from some Port in *Ireland* after the First Day of *January*, One thousand seven hundred

After Jan. 1, 1776, Bounties to be given to Vessels fitted out from Ireland for the Newfoundland Fishery. Such Vessels to be British built, and owned by His Majesty's Subjects in Great-Britain or Ireland, three-fourths of the Crew to be His Majesty's Subjects, and qualified as by Act 10 & 11 W. 3. fitted out from some Port in Ireland after 1st Jan. 1776, and in each succeeding Year,

and seventy-six, and after that Day in each succeeding Year, and shall proceed to the Banks of *Newfoundland*; and having caught a Cargo of Fish upon those Banks, consisting of no less than Ten Thousand Fish by Tale, shall land the same at one of the Ports on the South Eastern Side of the Island of *Newfoundland*, between *Cape Ray* and *Cape de Grat*, on or before the Fifteenth Day of *July* in every Year, and shall make one or more Trip at least to the said Banks, and return with another Cargo of Fish caught there, to the same Port; in which Case, the Twenty-five of said Ships first arriving at the said Island of *Newfoundland* from the Banks thereof, with a Cargo of Fish caught there, consisting of Ten Thousand Fish by Tale at least, and after landing the same at one of the Ports within the Limits before-mentioned in *Newfoundland*, shall proceed again to the said Banks, and return to the said Island with another Cargo of Fish, shall be intitled to Forty Pounds each; and Fifty Vessels which shall so arrive the next in Order of Time, on or before the said Fifteenth of *July* in each Year, at the said Island, with a like Cargo, and shall proceed again to the said Banks, and return from thence in the Manner herein before-mentioned, shall be intitled to Twenty Pounds each; and Fifty other Vessels which shall so arrive the next in Order of Time, on or before the said Fifteenth Day of *July* in each Year at the said Island, with the like Cargo, and as shall proceed again to the said Banks, and return from thence in the Manner herein before-mentioned, shall be intitled to Ten Pounds each; upon the Master or Owner of such Vessels producing to the Collector of His Majesty's Revenues at the Port in *Ireland* from whence such Vessel

C A A P.
XIX.

and having caught a Cargo of no less than 10,000 Fish, and land the same at one of the Ports S. E. of *Newfoundland*, on or before 15th *July*, and make one or more Trips, and return with another Cargo to same Port; 25 of said Ships first arriving at *Newfoundland* with a Cargo of 10,000 Fish, shall proceed again, and return to said Island with another Cargo, intitled to 40l. each; 50 Vessels next in Order of Time, 20l. each; 50 other Vessels next in Order of Time, 10l. each:

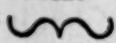
was

CHAP. was cleared out, a Certificate, under the Hand and
 XIX. Seal of the Governor of *Newfoundland*, that the Master
 of such Vessel had produced to him a Certificate
 under the Hands of the Collector and Comptroller of
 the Customs at the Port from whence such Vessel was
 cleared out, testifying that such Vessel was duly qua-
 lified to proceed on such Fishery in Pursuance of the
 before-mentioned Act made in the Tenth and Ele-
 venth Years of King *William* the Third; and that it
 has been made appear to his Satisfaction, by a Certifi-
 cate under the Hand and Seal of the Naval Officer of
 the District in *Newfoundland* where such Fish was
 landed, or where there is no Naval Officer, under the
 Hand and Seal of the Commander of any of His Ma-
 jesty's Ships stationed there, or of such Officer as the
 Governor shall approve, specifying the Time of such
 Vessel's Arrival, in Manner before directed, that such
 Vessel was intitled, by the Priority and Time of her
 Arrival, to one or other of the Bounties therein men-
 tioned, as the Fact may be; and that the Master and
 Mate of such Vessel had made Oath before such Naval
 or other Officer as aforesaid, that the Number of Fish
 taken on the first Trip amounted to Ten Thousand at
 least by Tale; and that all the Fish on both Trips were
 caught on the Banks of *Newfoundland*; and upon de-
 livering up the said Certificate to such Collector, the
 respective Bounties therein mentioned shall be paid by
 such Collector, out of any Money remaining in his
 Hands, being Part of His Majesty's Revenues: And
 in Case such Collector shall not have sufficient Money
 in his Hands, he shall certify the same to the Chief
 Commissioners of His Majesty's Revenues in *Dublin*,
 who are hereby authorized and required to order the
 same

Certificates to
 be produced
 to the Collec-
 tor of Customs
 from the Go-
 vernor of
Newfound-
land, of the
 Qualification
 of Ships, &c.

Masters and
 Mates to make
 Oath,

Collectors of
 Customs to
 pay the Boun-
 ties.

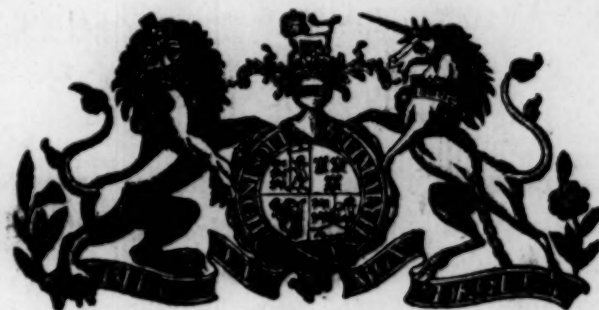
same to be paid by the Collector of the Port of *Dublin*, C H A P.
out of any Money in his Hands arising from His Ma- XIX.
jesty's Revenues as aforesaid. 

II. And be it further enacted by the Authority From 1st Jan.
aforesaid, That from and after the First Day of *Janu-* 1776, during
ary, One thousand seven hundred and seventy-six, du- said 11 Years,
ring the said Eleven Years, it shall and may be law- it may be law-
ful to import
for any Person or Persons to import into this Kingdom, into this King-
dom, and ex-
and to export out of the same, any Train Oil, or port out of
the same,
Blubber of Fish, or other Creatures living in the Sea, Train-Oil,
&c. taken by
or Whale Fins, or any raw and undressed Seal Skins Crews of Ves-
sels belonging to and fitted out either from *Great-Bri-* sels belonging
tain, *Ireland*, *Guernsey*, *Jersey*, or *Man*, respectively, to and fitted
out from
and whereof the Captain or Master, and Three-fourths Great Britain,
Ireland,
at least are His Majesty's Subjects, or by Persons *Guernsey*,
Jersey, or
employed by the Masters or Owners of such Vessels, and *Man*;
Said Crews
imported into this Kingdom in Ships or Vessels truly to be as before
mentioned,
and properly belonging to His Majesty's said Subjects without pay-
ing any Cut-
without paying any Custom, Subsidy, or other Duty tom, or other
Duty for the
for the same, any Law or Usage to the contrary not- Duty for the
withstanding. same.

A N
A C T
F O R

The further Encouragement of the
Whale-Fisheries carried on from
Ireland.

Anno decimo septimo & octavo Georgii III. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee of
the late BOULTER GRIERSON, Printer to the King's
Most Excellent Majesty. 1778.

1848
XVII

A. C. T.

The United States of America
Washington, D. C.

John Adams, President of the United States



Printed by J. B. [illegible]
[illegible] [illegible] [illegible]

Anno Regni decimo septimo & octavo

GEORGE III. Regis.

A N

A C T

F O R

The further Encouragement of the Whale-Fisheries carried on from *Ireland*.

C H A P. XVIII.

WHEREAS a valuable Whale-Fishery has lately been discovered in the Seas to the Southward of the Latitude of Forty-four Degrees North, and your Majesty's loyal Subjects, the Commons of *Ireland* in Parliament assembled, being desirous to secure a Share in the Benefits of the said Fishery, to such of Your Majesty's Subjects as should carry on the same from this Kingdom on the Twenty-sixth of *March*, One thousand seven hundred and seventy-six, did come to several Resolutions, *viz.* That

Recital, of a valuable Whale Fishery having been discovered, and that the Commons of Ireland in Parliament assembled, did on 26th March, 1776, come

CHAP. XVIII. That the Extension of the Whale-Fishery of Ireland, was an Object highly deserving the Encouragement of Parliament; that the most effectual Means of encouraging the said Fisheries would be by Bounties upon Ships employed in the Whale-Fishery in such Seas as lie to the Southward of the Limits of those Seas in which the Whale-Fishery is at present encouraged, and that the said Bounties should be granted for a Number of Years certain, and be made payable upon such Ships in Proportion to their Tonnage respectively; That the said Subject should be taken into Consideration early in the then next Session of Parliament; That an humble Address should be presented to his Excellency the Lord Lieutenant, to lay before Your Majesty the humble Desire of the Commons, that Your Majesty would be graciously pleased to grant a Bounty of Forty Shillings *per* Ton to the Masters or Owners of such *British* or *Irish* Ships as should be fitted out from any Port in this Kingdom, and proceed upon the Whale-Fishery in any of the said Seas, from the First Day of *August*, One thousand seven hundred and seventy-six, to the First day of *August*, One thousand seven hundred and seventy-nine inclusive, on landing in this Kingdom all such Whale-Fins, Oil, or Blubber of Whales, Seal-Oil, Seal-Skins, or other Production of Seals, or other Fish or Creatures as shall be caught by the Crews of such Ships in such Seas, subject to such Restrictions and Regulations, as Your Majesty in Your great Wisdom should think proper to make, and to assure Your Majesty that Your Commons would make good the same; be it therefore Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

to certain Resolutions, for the Encouragement thereof by Bounties, &c. as His Majesty should think proper.

and Temporal, and Commons in this present Parlia-
ment assembled, and by the Authority of the same,
That from and after the First Day of *August* next, in
Lieu and Stead of the Bounties so granted by his Ma-
jesty, the several and respective Bounties herein after
mentioned, shall be paid and allowed under the several
Rules and Restrictions herein after expressed and di-
rected, that is to say, Every *British* or *Irish* Ship or
Vessel that shall within the Time limited by this Act,
proceed from any Port of *Ireland* on the Whale-Fish-
ery, to any Seas wherein the Whale-Fishery is usually
carried on, South of the Latitude of Forty-four De-
grees North, manned and navigated by Crews, where-
of the Captain or Master, and Three-fourths at the
least of the Mariners shall be *British* Subjects, shall
before she proceed on such Voyage, or be intitled to
the Benefit of this Act, be visited by the proper Offi-
cer, or Officers of His Majesty's Revenues belonging
to such Port, who shall examine into such Ship or
Vessel, and take an Account of the Tonnage thereof
by Admeasurement, and shall certify such his or their
Visitation, Examination, and Admeasurement, to the
Chief Commissioners of His Majesty's Revenues in
this Kingdom; and if it appear by the Certificate of
such Officer or Officers, that she hath on Board
such a Number of Men, Provisions, Boats, Fish-
ing-Lines, and Instruments to be used in such Fishing,
as herein after are mentioned, that she is strongly
built, and otherwise a proper Ship for such Voyage
and Fishery, and hath on Board among her Crew a
sufficient Number of Harpooners, Steersmen, Line-
Managers, who before have been employed in such
Voyages (the Names of such Persons to be contained

C H A P.
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Enacted, that
from 1st. Day
of August,
1778, in Lieu
of the Boun-
ties so granted
by His Majes-
ty, the Boun-
ties following
shall be paid,
viz. Every
British or Irish
Vessel, that
shall within
Time limited,
proceed from
any Port in
Ireland on
the Whale
Fishery, to
Seas South of
Latitude 44
Degrees North,
navigated by
Crews, where-
of the Captain
and three-
fourths of the
Mariners shall
be British Sub-
jects, before
she proceed on
such Voyage,
or be intitled to
the Benefit of
this Act, shall
be visited by
proper Officers
of Revenue
belonging to
such Port,
who shall take
an Account of
Tonnage
thereof, and
certify his Ad-
measurement,
to Commissi-
oners of

in

CHAP. XVIII. in such Certificate); and if it further appear by the Oath of One or more Owner or Owners, and of the Master or Chief Officer of such Ship, written at the Foot of such Certificate, and made before the Collector or Comptroller of such Port (who are hereby impowered and required to administer the same) that it is really and truly their firm Purpose and determined Resolution, that such Ship shall, as soon as Licence shall be granted, forthwith proceed so manned, furnished, and accoutred, on a Voyage to the Southward of Forty-four Degrees North Latitude, in such Seas as in such Oath shall be expressed, and there, in the then approaching Season, to use the utmost Endeavour of themselves and their Ship's Company, to take Whales, or other Creatures living in the Sea, and on no other Design or View of Profit in such Voyage, and to import the Whale-Fins, Oil and Blubber thereof into this Kingdom of *Ireland* (naming the Port to which it is their Intention to Return); and if the Master after such Certificate had, and Oath made, do also become bound with Two sufficient Sureties unto His Majesty, His Heirs and Successors, in the Penalty of such Sum as shall be equal to treble the Bounty intended by this Act, which Bond the said Collector with the Approbation of the Comptroller is hereby required to take, and is to be in Force for the Term of Three Years against the Master and Sureties, for the faithful Dealing of the said Master and Ship's Company, in regard to the said Ship and Voyage, then, and in all such Cases, it shall and may be lawful for any Three or more of the Chief Commissioners of His Majesty's Revenue for the Time being, on receiving such Certificates and Oaths made, and being certified by

Revenue; and if such Ship shall appear to be properly equipped, and if it further appear by Oath of Owner or Owners, that it is their firm Purpose that such Ship as soon as Licence granted, proceed on a Voyage to the Southward of 44 Degrees North Latitude, and use utmost Endeavour to take Whales, &c. and on no other Design in such Voyage, and to import the Whale-Fins, &c. into this Kingdom, and if Master become bound in a Penalty equal to treble the Bounty, any Three or more of the Commissioners of Revenue on receiving such Certificates & Oaths, certified by Collector and Comptroller of such Port,

by them, by the Collector and Comptroller of such Port, that sufficient Security hath been given, as aforesaid, to give and grant, and they are hereby required to give and grant to the Master and Owners of such Ships full Licence and Authority to proceed on such Voyage as aforesaid.

II. And to prevent any Disputes that may arise, whether a Ship be properly qualified and duly fitted out for this Whale-Fishery, according to the true Intent and Meaning of this Act, and intituled to a Certificate thereof from the Custom-House Officers; be it hereby Enacted by the Authority aforesaid, That every Ship of the Burthen of Two hundred Tons, designed for this Fishery, shall and is hereby required to have on Board Forty Fishing-Lines, of one hundred and twenty Fathom each, Forty Harpoon Irons, Four Boats with Six Men, including a Harpooner, a Steersman, and a Line-Manager to each Boat, making in the Whole Twenty-four Men, besides the Master and Surgeon, with Six Months Provisions at the least for such Number of Men; and every Ship of larger Burthen an Increase of Six Men, One Boat, Ten such Lines, and Ten Harpoon Irons more for every Fifty Tons above the said Two Hundred Tons, together with Provisions in Proportion; and every Ship which shall be so employed in the said Fishery, shall have on Board an Apprentice indentured for the Space of Three Years at the least, for every Fifty Tons Burthen, which shall be accounted as one of the Number of Men required to be on Board such Ship as aforesaid.

Q

III. And

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XVIII.

III. And be it further Enacted by the Authority
aforesaid, That on the Return of such Ship to the
Port, to which the Master and Mate declared on
Oath, their Intention to return, the proper Officers of
the Revenue at such Port, shall immediately repair on
Board, and view the Condition of such Ship and her
lading, and certify the same, together with their Ob-
servations thereon, as also the real Tonnage of the said
Ship; and the said Officers are also to take an Ac-
count or Schedule of the Names of the Master, Mate,
and other Persons aboard, distinguishing therein the
Harpooners and Persons more immediately employed
in the said Fishery, and to certify the same, and the
Master and Mate shall make Oath before the Collector
and Comptroller, who are hereby impowered and re-
quired to administer the same on the Back of, or an-
nexed to the Licence granted as aforesaid, which they
are hereby then required to deliver up, that they did
in Pursuance thereof, mentioning the Day of their De-
parture, proceed on a Voyage directly to the Places
aforesaid, and have not since been on any other Voy-
age, or pursued any other Design or View of Profit,
and that they did there (mentioning the Time of their
Stay on those Seas) use the utmost Endeavour of them-
selves and their Ship's Company, to take Whales and
other Creatures living in those Seas, and all the Whale
Fins, Oil, and Blubber, imported, if any in such
Ship was really, and *bona fide*, caught and taken in the
said Seas by the Crew of such Ship only, or with the
Assistance of the Crew of some other *British* or *Irish*
Ship, licensed for that Voyage, pursuant to the Di-
rections

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rections of this Act, all which Schedule, Certificate, Licence, and Oath, shall be transmitted by the Collector and Comptroller of such Port, to the Chief Commissioners of His Majesty's Revenues in *Dublin*, and such Commissioners being fully satisfied of the faithful Dealings of the Master, and other Persons employed in such Ships, with respect to such Voyage and Fishery, shall on Demand, cause Payment to be made to the Master or Owners, or to his or their Assigns, by the Collector of the Port of *Dublin*, the Bounty or Premium following, according to the Admeasurement of such Ship, duly certified as aforesaid, that is to say, for every such Ship as shall proceed on the said Fishery, from the First Day of *August* next, to the First Day of *August*, One thousand seven hundred and eighty-four, the Sum of Forty Shillings *per Ton*, and for every such Ship as shall proceed on the said Fishery, from the First Day of *August*, One thousand seven hundred and eighty-four, to the First Day of *August*, One thousand seven hundred and ninety, the Sum of Thirty Shillings *per Ton*.

IV. Provided always, and be it further Enacted by the Authority aforesaid, That no Person or Persons shall be allowed, or intitled to receive the Bounty herein before granted, for any Ship which shall proceed upon the said Whale Fishery, from any Port of this Kingdom, after the said First Day of *August* next, unless such Ship shall sail from the Port, when she shall be surveyed and cleared, directly on her intended Fishery, on or before the First Day of *October* then following, and shall continue with her Crew in

Schedule, &c. to be transmitted to Chief Commissioners of Revenue, who being satisfied, shall cause Payment to be made of the Bounty following, for every Ship proceeding on the said Fisheries from 1st of Aug. 1778, to 1st of Aug. 1784, 40s. *per Ton*; and every Ship proceeding on said Fisheries from 1st of August 1784, to 1st of Aug. 1790, 30s. *per Ton*.

No Person intitled to Bounty for any Ship which shall sail after 1st of Aug. 1778, unless she proceeds directly on being surveyed, on or before the 1st of October following, and shall continue

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XVIII.

with her Crew
in said Seas,
endeavouring
to catch
Whales, &c.
not to depart
from thence
before 1st of
March, unless
forced by Ne-
cessity, to be
proved by the
Oath of Mas-
ter and Mate,
before Collec-
tor, &c. who
shall transmit
the same with
Schedule &c.
to Commission-
ers of Revenue

Commission-
ers of Reve-
nue at begin-
ning of every
Session to lay
before Parlia-
ment, an Ac-
count of Num-
ber of Ships
employed in
Fishing, their
Names and
Burthens, &c.
where fitted
out and where
discharged,
and Quantity
of Oil import-
ed by each.

in the said Seas, diligently endeavouring to catch
Whales or other Creatures living in those Seas, and
shall not depart from thence before the First Day of
March next following, unless such Ship shall be laden
with the Blubber and Fins of one Whale caught by
the Crew thereof, or with the Assistance of the Crew
of such other licensed Ship, before that Time, or shall
be forced by some unavoidable Accident or Necessity
to depart sooner from those Seas, which Accident or
Necessity shall be verified on the Oaths of the Master
and Mate belonging to such Ship upon her Return
from the said Fishery, before the Collector and Com-
ptroller of the Customs, at the Port where she shall ar-
rive, who shall transmit the same, together with the
Schedule, Licence, and other Documents, by this Act
required, to the Chief Commissioners of His Majesty's
Revenues in this Kingdom.

V. And be it Enacted by the Authority aforesaid,
That the said Commissioners of His Majesty's Reve-
nues, shall at the beginning of every Session of Parlia-
ment, lay before both Houses of Parliament, an Ac-
count in Writing, of what Number of Ships have been
employed in the Whale Fishery, with their respective
Names and Burthens, from whence they were fitted
out, and at what Port they were discharged, and also
what Quantity of Oil or Whale Fins, each Ship shall
have imported.

VI. And whereas it has been found by Experience,
that Ships under the Burthen of Two hundred Tons,
are fit for the Whale Fishery, Be it Enacted by the

Authority

Authority aforesaid, That every Owner or Owners of any Ship or Ships, under the Burthen of Two hundred Tons, which shall be employed in the said Fishery, and which shall be provided with Sailors, Boats, Lines, and Harpoons, in the same Proportion to the Number of Tons in said Ship, as is hereby provided for Ships of Two hundred Tons and upwards, and who have otherwise conformed themselves in all Respects to the Rules and Directions herein-before prescribed, to the Owners of Ships of Two hundred Tons, shall be intitled to the said Bounty as herein-before limited according to the Admeasurement of such Ship or Ships respectively.

C H A P.

XVIII.

Owners of Ships under 200 Tons Burthen, intitled to Bounty in Proportion, as Ships of 200 Tons.

VII. Provided always, that no Ship to be employed in said Fishery, although she be above the Burthen of Four hundred Tons, shall be intitled to a larger Bounty, than a Ship of Four Hundred Tons would be intitled to.

Ship above 400 Tons not intitled to larger Bounty than one of 400 Tons.

VIII. Provided also, That nothing herein contained, shall extend to oblige the Owner of any Ship above Four hundred Tons, in order to intitle him or them to the said Bounty, to fit out, equip, and mann any such Ship, otherwise than as a Ship of the Burthen of Four hundred Tons only, as by this Act required to be fitted out, equipped and manned.

Nothing herein contained shall oblige Owner of any Ship above 400 Tons to equip her otherwise than a Ship of 400 Tons.

IX. And be it Enacted by the Authority aforesaid, That the Owner or Owners of any Ship employed, or designed to be employed in the said Fishery, to insure the

the

CHAP. XVIII. the Bounty which such Owner or Owners would be intitled to, upon the Return of such Ship to the Port to which the Master and Mate of such Ship shall have declared upon Oath their Intention to return, and on Performance of all other Matters, directed and appointed by this present Act to be performed for obtaining the said Bounty.

VII. Provided always, that no Ship to be employed in said Fishery, although she be above the Burthen of Four hundred Tons, shall be intitled to a larger Bounty, than a Ship of Four hundred Tons would be intitled to.

VIII. Provided also, That nothing herein contained, shall extend to oblige the Owner of any Ship above Four hundred Tons, in order to intitle him or them to the said Bounty, to fit out, equip, and man any such Ship, otherwise than as a Ship of the Burthen of Four hundred Tons only, as by this Act required to be fitted out, equipped and manned.

IX. And be it Enacted by the Authority aforesaid, That the Owner or Owners of any Ship employed, or **N**Aded to be employed in the said Fishery, to intitle

A N
A C T
F O R

The better Preservation of Fish, in Rivers, Lakes, and Inland Waters.

Anno Regni dec. septimo & octavo Georgii III. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee
of the late BOULTER GRIERSON, Printer to the
King's Most Excellent Majesty. 1778.

T O A

The better Preservation of Fish in Rivers, Lakes, and Inland Waters.

Seine Majestät der Kaiserin von Österreich.



Printed by the Executors of DAVID HAY, Assignee
of the late Bowler Grierson, Printer to the
King's Most Excellent Majesty, 1778.

Anno Regni decimo septimo & octavo

GEORGE III. Regis.

A N

A C T

F O R

The better Preservation of Fish, in Rivers,
Lakes, and Inland Waters.

C H A P. XIX.

WHEREAS through a Defect of the Laws now in being, there is not a sufficient Provision made against taking and destroying Fish in Rivers, Lakes, and Inland Waters, whereby many Persons are tempted to neglect their Trades and other Occupations, and to use most destructive Means of catching and killing them, by damming Rivers, and taking and destroying the Breeding Fish, with Nets, Spears, Gins, and other Engines, whereby

Preamble

R

if

C H A P. XIX. if longer permitted, the several Species of such Fish are likely to be utterly annihilated in most Parts of this Kingdom, and His Majesty's peaceable and industrious Subjects are exposed to imminent Danger of having their Houses, Offices, and Haggards, set on Fire, by the dangerous Practice of fishing at Night by Lights; For Remedy whereof, be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fourth Day of *June*, One thousand seven hundred and seventy-eight, no Person or Persons whatsoever, not qualified, except as herein mentioned, shall have, keep, or use any Net, Leape Pische, Gaff, Spear, or Lister, or other Engine, Boat, or Curragh, (angling Rods with Lines and Hooks excepted) other than the Makers or Sellers thereof, and the Owners of Rivers, or of Parts of Rivers, for the Time being; and that it shall and may be lawful for any Owner of any River or Fishery, or of Part of a River or Fishery, and every Person or Persons by any Owner or Owners of any River or Fishery, or of any Part of a River or Fishery for that Purpose appointed to seize, detain, and keep to his and their own Use and Uses, all and every such Cott, Boat, Curragh or Float, Nett, Leape Pische, Gaff, Spear, or Lister, and other Engine, for catching Fish, except as before excepted, which he or they shall find used or laid, or in the Custody or Possession of any Person or Persons whatsoever, not qualified as herein mentioned, fishing in any River, or Inland Fishery, Lake, or Inland Water whatsoever, without the Consent of the Owner or Owners thereof, given under their Hand, and for any Person or Persons

Enacted, that from 24 June, 1778, no Person not qualified, shall keep any Instrument for killing of Fish, (angling Rods and Lines excepted) under a Penalty of forfeiting all such Instruments.

sons whatsoever, being thereunto authorized, by War-
rant under the Hand and Seal of any Justice of the
Peace of the same County, or County of the City or
Town, in the Day-time, to search the Houses, Out-
houses, or other Places, of any Person hereby prohi-
bited to have, keep, or use the same, as shall be sus-
pected to have or keep in his Possession or Custody,
any Boat or Curragh, Net, Leape Pische, Gaff, Spear,
or Lister, or other Engine, except as before excepted,
and the same, and every or any of them, to seize, de-
tain, and keep, to his and their own Use or Uses, or
otherwise to cut in Pieces and destroy, as Things by
this Law prohibited to be kept by Persons of their
Condition.

II. And be it further enacted by the Authority
aforesaid, That if any Person or Persons, after the
said Twenty-fourth Day of *June*, One thousand seven
hundred and seventy-eight, shall kill, take, or destroy,
any Carp, Tench, Bream, Roach, Perch, Eel, Pike,
Trout, Cray-fish, or any other Fish, in or out of any
Pond, Pool, Canal, or Stew, wherein the same are
kept, and wherein he or they have no Property,
without the Consent or Licence of the Owner or
Owners of such Pond, Pool, Canal, or Stew, and
be thereof convicted, on the Oath of one credible
Witness, before one Justice of the Peace of the
County or Jurisdiction where the Fact shall be com-
mitted, shall forfeit for every such Offence, a Sum
not less than Five Pounds, nor more than Ten
Pounds, at the Discretion of such Justice, which For-
feiture, shall go to the Informer, Prosecutor, or other
Persons, as the Owner of such Pond or Stew, shall
choose, to be levied by Distress and Sale of the Goods

No Person
shall kill any
of the Fish
herein menti-
oned, without
Consent of the
Owner;

Penalty not
less than 5s.
nor more
than 10l.

CHAP. and Chattels of such Person so offending against this
XIX. Act, by Warrant of such Justice; and for Want of
 such Distress the Offender shall be committed to the
 County Gaol, there to remain without Bail or Main-
 prize, for any Time not exceeding Six Calendar
 Months, nor less than Three Calendar Months, as his
 Committal by such Justices shall specify.

Penalty on
 Persons fishing
 by Night
 with Lights.

III. And in order to deter idle and disorderly
 Persons from Fishing by Night, with Lights, Boats,
 Curraghs, Spears, Snares, Nets, Gins, or any En-
 gine whatsoever; Be it enacted by the Authority a-
 foresaid, That if any Person whatsoever, shall be con-
 victed on the Oath of one credible Witness, before any
 Justice of the Peace of the County, or Jurisdiction,
 where the Offence shall be committed, of Fishing by
 Night, with Lights, or Boats, Curraghs, Cotts, or
 Floats, with Spears, Nets, Snares, Gins, or any En-
 gine whatsoever, (except with Rods and Lines) such
 Persons so convicted, shall forfeit any Sum not more
 than Five Pounds, nor less than Two Pounds, at the
 Discretion of such Justice, to be levied off the Goods
 and Chattels of such Offender, by the Warrant of the
 said Justices, which Forfeiture shall be paid to the
 Informer or Prosecutor: And in case no Distress shall
 be found, such Offender shall be committed to the
 County Gaol by such Justice, there to remain without
 Bail or Mainprize, any Time not exceeding Six Ca-
 lendar Months, nor less than Three Calendar Months,
 as his Committal by such Justice shall specify.

IV. And whereas the Fish in the Rivers of this
 Kingdom, are frequently poisoned and destroyed, by
 throw-

throwing Waste, Dye-stuffs, Lime, Flax, Hemp, C. H. A. P. and other poisonous and noxious Ingredients, into the **XIX.** said Rivers; For Remedy whereof, be it enacted by the Authority aforesaid, That no Person or Persons whatsoever, shall from and after the passing of this Act, throw or empty any Waste, Dye-stuffs, Lime, Flax, Hemp, or any other Kind of noxious or poisonous Substance, into any River; and if any Person shall so offend, he, she, or they, shall forfeit for every such Offence the Sum of Five Pounds, to be levied off the Goods and Chattels of such Offender; to be recovered in such Manner as the other Penalties prescribed by this Act are recoverable, one Moiety of such Penalty to be given to the Poor of the Parish wherein such Offence shall be committed, and the other to the first real Informer of such Offence; and in case no Distress sufficient to answer the said Penalty can be found, that the Offender shall in such Case be committed to the County Gaol, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, as his Committal, by such Justices as shall adjudge the said Penalty, shall specify.

No Person to throw any poisonous or noxious Substance into any River, under a Penalty of 5l.

V. And whereas great Quantities of Trouts are taken and killed in the several Rivers running into and from, the several Lakes in this Kingdom, from the First Day of *October*, to the First Day of *January*, which is the Season during which Trouts deposite their Spawn in said several Rivers; Be it enacted by the Authority aforesaid, That no Person whatsoever shall kill, take, or destroy, any Trout, by the Means of Dams or Fish-houses, commonly called Fish-ponds,

No Person shall kill any Trout from 1st Oct. to 1st Jan. under a Penalty of 5l.

or

CHAP. or by Nets or other Engines, (angling excepted) from
XIX. the First Day of *October*, to the First of *January*;
 and that every Person so offending in this Respect,
 shall forfeit the Sum of Five Pounds for each Offence;
 the Half to be paid to the Poor of the Parish wherein
 such Offence shall be committed, and the other to the
 Informer; said Penalty to be recovered or levied in
 Manner before mentioned in this Act; and in case
 no Distress sufficient to answer the said Penalty shall
 be found, the Offender shall in such case be commit-
 ted to the County Gaol, there to remain without
 Bail or Mainprize, for any Time not exceeding Three
 Calendar Months, as his committal by such Justice
 as shall adjudge the said Penalty shall specify.

Proprietors of
 Fisheries on
 River Bandon
 shall have Li-
 berty from
 20 March to
 20 Oct. in
 each Year,
 to take Sal-
 mon Fish,

VI. And whereas in the River *Bandon*, Salmon-
 Fish are in good Season the whole Year, except in the
 Months of *November*, *December*, *January*, and *Febru-*
ary, be it enacted by the Authority aforesaid, That
 Proprietors of Fisheries on said River, their Heirs or
 Assigns, shall have Liberty at all Times, from the
 Twentieth of *March* to the Twentieth of *October* in
 each Year, to take with Nets or in any other legal
 Manner all such Salmon-Fish, without incurring any
 Penalty imposed by any former Act of Parliament.

VII. Whereas the Fisheries of *Loughneagh*, *Lough-*
erne, and of other Loughs, and of the several Rivers
 flowing thereto and therefrom, are greatly injured by
 large Draught-Nets with Ground-ropes and Sinkers
 drawn therein, from the Twenty-fifth Day of *August*
 to the Twenty-fifth Day of *December*, by Persons
 pretending to fish for Pollens; be it enacted by the
 Autho-

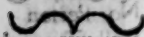
Authority aforesaid, That it shall not be lawful for C H A P.
any Person or Persons on any Pretence whatsoever, to XIX.
fish with Draught or other Nets in the said Loughs
or Rivers, or any of them, or in any of the Bays
thereof, from the Twelfth Day of *August* until the
First Day of *January* in any Year; and if any Person
or Persons shall herein offend, and be thereof con-
victed by the Oath of One or more credible Witnesses
or Witnesses, before any Justice of the Peace, such
Person or Persons shall forfeit the Nets and other Im-
plements used by him, and also Five Pounds for every
such Offence, which Sum the said Justice of the
Peace is hereby empowered to levy by his Warrant;
and for Want of Distress for this Purpose, shall com-
mit each of the Offenders to Prison, for any Time
not exceeding Six Months.

No Person
shall fish with
Draught or
other Nets in
Loughneagh,
Lougharne,
&c. and the
Rivers flow-
ing thereto
and therefrom,
from 12 Aug.
to 1 Jan. in
any Year.
Implements
forfeited,
and 5l.

VIII. And whereas great Quantities of Salmon-
Fry are obstructed from returning to the Sea, and de-
stroyed at the Tails of Mill-Streams, by Means of
Dams and other Obstructions made across the Streams
under the Water-Wheels of said Mills, which cannot
be done without the Consent or Knowledge of the
Proprietors, Millers, or principal acting Persons there-
in; be it enacted by the Authority aforesaid, That if
any such Dams or Obstructions are discovered, or any
Implement or Instrument used at said Places, to ob-
struct or destroy the Salmon-Fry, the Proprietor, Mil-
ler, or principal acting Person of such Mill where
such Dams or Obstructions are made, or such Imple-
ments found, shall, on Proof thereof by One or more
credible Witnesses or Witnesses, before any Justice of
the Peace, forfeit the Sum of Five Pounds, to be re-
covered

Penalty on the
Proprietors of
Mill-streams,
&c. obstruct-
ing by Dams,
&c. Water-
courses, for
taking Fish.

C H A P. covered in such Manner as the other Penalties in this
XIX. Act are recoverable.



IX. And be it enacted by the Authority aforesaid, That if any Constable, or other Officer to whom the Justices of the Peace are by this Act empowered or directed, to issue their Warrants for the Purposes herein before mentioned, shall refuse or delay to execute such Warrants, the Justices issuing said Warrants, are hereby empowered to fine such Constable or Officer for every such Offence, any Sum not exceeding Five Pounds, to be levied by Distress and Sale of the Offender's Goods, and for Want of sufficient Distress, to commit such Constable or Officer to Prison for any Time not exceeding Three Months, the said Fine to be levied off the Constable for refusing to execute the Warrant, by a Special Constable, Bailiff, or Peace-Officer appointed by the Justice for that Purpose.

X. And whereas there is a very pernicious Practice, all round the West and North-west Coasts of Ireland, of tanning or barking of Nets, which Practice is not only of little Effect, in Regard to the first Intention of preserving said Nets, but on the contrary of infinite Detriment to the Growth of young Trees, and Destruction of Plantations, through the villainous Practice of stripping Trees, merely for the Bark thereof, in order to tan or bark Nets for the Herring, Salmon, and other Fisheries, notwithstanding there is a much more efficacious Method of curing of Nets, less expensive, and in no Shape detrimental to Plantations, by curing said Nets with Tar and Oil, which
Nets

Nets so cured, may lie for a Month wet without getting Damage, whereas Bark-cured Nets must be dried daily, or they will rot; be it therefore enacted by the Authority aforesaid, That all Nets for taking Herrings, Salmon, or any Sea-Fish, and all Fishing-Lines cured after the passing of this Act, shall be cured with Tar and Oil, and not barked or tanned, under Penalty of the Forfeiture of all such Nets to the Informer, upon Conviction before a Justice of the Peace.

C H A P. XIX.
Enacted,
That all Nets not cured with Oil and Tar, are liable to seizure.

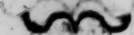
XI. And be it further enacted by the Authority aforesaid, That all Nets found tanned, and not Tar and Oil-cured, the Proof shall lie on the Owner of said Nets, that they were made prior to the passing of this Act, or that they are Nets that were made and cured before brought to the aforesaid West or North-west Coast, in Failure of such Proof, all such Nets to be forfeited as aforesaid.

Nets found tanned, Proof on Owner that they were cured before passing this Act.

XII. And be it further enacted by the Authority aforesaid, That in Case any Fisherman, Net-maker, or any other Person or Persons shall be found barking of any Tree or Trees for the Purpose of tanning of Nets, or any other Purpose, clandestinely, or without proper Authority, such Offender shall, for every such Offence, forfeit the Sum of Five Pounds, recoverable before a Justice upon the Oath of One credible Witness, wholly to the Use of the Informer as aforesaid, and in Default of Payment, to be committed by a Justice's Warrant, to the County Gaol, for any Time not exceeding Six Months, unless the said Forfeiture shall be paid sooner: Provided, that no Person or Persons shall be convicted of any Offence against this Statute, unless the Prosecution be commenced within

Penalty of 5*l*. on Persons barking of Trees for curing of Nets.

CHAP. Three Calendar Months after such Offence shall be
XIX. alledged to be committed.

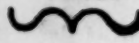


Any Person
 convicted of
 any Offence
 against this
 Statute, may
 appeal to Ge-
 neral Quarter-
 Sessions, on
 giving proper
 Security for
 his Appear-
 ance.

XIII. Provided also, That it may and shall be
 lawful for any Person convicted before such Justice of
 any Offence against this Statute, to appeal to the next
 General Quarter-Sessions of the Peace to be held in
 and for the County or Jurisdiction where the Offence
 shall be committed, such Person so convicted entering
 into Recognizance before such Justices with Two
 sufficient Securities, to be bound in the Sum of Ten
 Pounds each, that the Person so convicted shall appear
 at such Quarter Sessions, and abide by the Judgment
 of the Court; and in case such Judgment of the said
 Justices shall be affirmed at the said Quarter-Sessions,
 then such Two Sureties, or One of them, shall pay,
 over and above the Forfeiture adjudged by such Jus-
 tices, the usual and legal Fees unto such Officers of the
 Court, as shall be intitled to them, and shall moreo-
 ver pay unto the Prosecutor, over and above the For-
 feiture adjudged by such Justices, such Costs and rea-
 sonable Charges as the Court shall think fit, to make
 Amends to such Prosecutor for the Trouble and Ex-
 pence he shall be at in attending such Appeal.

No Penalty
 on Fishermen
 lawfully au-
 thorized to
 fish.

XIV. Provided also, That this Act, or any Thing
 herein contained, shall not extend, or be construed to
 extend, to abridge any Fisherman, or his Apprentice or
 Apprentices lawfully authorized, to fish in Navigable
 Rivers or Waters with lawful Nets and Engines, but
 that every of them shall and may, according to the
 Laws and Orders, made and to be made and settled
 for the good Order, Rule, and Government of such
 Naviga-

Navigable Rivers and Waters, use the Trade of fish- CHAP.
ing, as they lawfully might have done before the ma- XIX.
king of this Act, any Thing herein contained to the
contrary notwithstanding. 

XV. Provided also, That if any Person or Persons whatsoever shall be sued or prosecuted, for or by Reason of any Matter or Thing which he or they shall do in Pursuance of this Act, it may and shall be lawful to and for the Person or Persons so sued or prosecuted, to plead the General Issue, and to give the Special Matter in Evidence; and if the Verdict shall pass for the Defendant in such Action, or the Plaintiff or Plaintiffs become nonsuit, or suffer any Discontinuance thereof, that in such Case the Defendant or Defendants shall have his or their treble Costs which he or they shall have sustained by such Action or Suit, for which said Defendant or Defendants shall have the like Remedy as in other Cases where Costs are given to the Defendants.

If any Person shall be sued or prosecuted for any Matter done in Pursuance of this Act, they may plead the General Issue.

XVI. Provided also, that this Act shall continue and be in Force from the Twenty-fourth Day of *June*, in the Year of our Lord One thousand seven hundred and seventy-eight, for the Term of Seven Years, and until the End of the then next Session of Parliament, and no longer.

This Act to continue in Force from 24 June, 1778, for 7 Years, and till the End of the next Session.

country notwithstanding
king of this A. any thing herein contained to the
ing, as they lawfully might have done before the ma-
Navyable River and Waters of the Towns of Pitt-C in a
George III. King of Great Britain

[illegible]

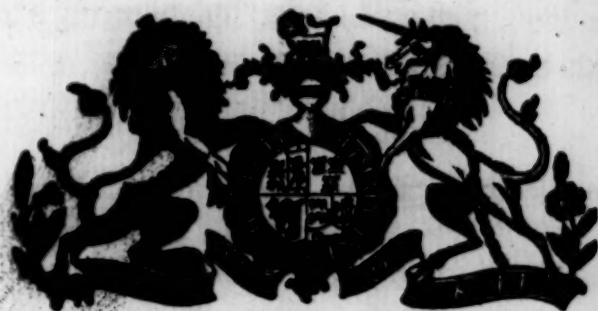
and no longer.

11

A N
A C T
T O

Explain and Amend ~~the~~ Acts made for
the Encouragement of the Fisheries of
this Kingdom, and for promoting the
good Ends proposed by said Laws.

Anno decimo septimo & octavo Georgii III. Regis.



D U B L I N :

Printed by the Executors of DAVID HAY, Assignee of
the late BOULTER GRIERSON, Printer to the King's
Most Excellent Majesty. 1778.

A
C
T
TO

To explain and Amend the Acts made for
the better Management of the Libraries of
this Kingdom, and for promoting the
good Ends proposed by said Laws.

Sheweth that His Majesty George III. King.



DUBLIN:

Printed by the University of Dublin Press, at the
the late Robert's Christian Library, in the King's
Road, Exchequer-Market, 1778.

of the Lords Spiritual and Temporal, and Commons
in this present Parliament assembled, and by the Au-

Anno Regni decimo septimo & octavo

GEORGE III. Regis.

that proper, freely to fill, take, buy from his-

other sort of White Fish, and every Part of the

Sea, Channels, Coves, Bays, wharves, and

in the Place where

**Explain and Amend the Acts made for the
Encouragement of the Fisheries of this
Kingdom, and for promoting the good
Ends proposed by said Laws.**

C H A P. XX.

WHEREAS the extending and improving the
Fisheries on the Coast of *Ireland*, is of great
Importance to this Kingdom, as it not only adds con-
siderably to the National Wealth, but may moreover
prove a fruitful Nursery of able Seamen to the Fleet
of *Great-Britain*; for the better Encouragement of the
said Fisheries, be it Enacted by the King's most Ex-
cellent Majesty, by and with the Advice and Consent

C H A P. XX.

XX

Preamble

Enacted

of

Enacted

of

C H A P. of the Lords Spiritual and Temporal, and Commons
XX. in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act, it shall and may be lawful to and for the Inhabitants of this Kingdom of *Ireland*, at all Times and Seasons of the Year, when they shall think proper, freely to fish for, take, buy from Fishermen, and cure any Herrings, Cod, and Ling, or other Sort of White Fish, in all and every Part of the Seas, Channels, Creeks and Bays, wheresoever such Fish are to be found, or can or may be taken on the Coasts of this Kingdom; and that no Person or Persons shall under any Pretence whatsoever, presume to obstruct or hinder any Person or Persons from fishing in the Places aforesaid.

that it shall be lawful for the Inhabitants of this Kingdom to take and cure Herrings, &c. and shall not be hindered by any Person whatsoever.

No Person to fish for Herrings contrary to the Directions mentioned in these Acts.

H. Provided, That no Person by Virtue of this Act, shall have Liberty to fish or take Herrings in the Day-time, or at any other Time, or in any other Manner than is directed by the Acts made for the Encouragement of the Fisheries of this Kingdom.

Difficulties attending the obtaining of Bounty on Exportation of Fish, on sufficient Proof such Fish was caught on the Coasts of this Kingdom, and Master making Oath said Fish is not intended to be re-laded, &c.

III. And whereas many Difficulties attend the obtaining the Bounty payable on the Exportation of Fish caught on the Coasts of this Kingdom; in order therefore more effectually to answer the Purposes for which said Bounty is granted, be it Enacted by the Authority aforesaid, That upon sufficient Proof being made before the Collector, or other Chief Officer of the Port, that such Fish so entered for Exportation, was caught on the Coasts of this Kingdom, or within Thirty-five Leagues of the same, and upon the Master or other Person having Charge of the Vessel in which any such Fish

Fish is to be exported, making Oath that to the best of his Knowledge or Belief, said Fish is not intended to be re-landed, and that he will not permit or suffer said Fish or any Part thereof, to be re-landed in this Kingdom, unless in case of real Distress, to save the Goods from perishing, and also upon the Owner or Proprietor of said Fish becoming bound, with Two sufficient Sureties, unto His Majesty, His Heirs and Successors, in the Penalty of such Sum as shall be equal to treble the Value of the Bounties he shall be intitled to, conditioned not to re-land the Fish intended to be exported, in any Port, Haven, Creek, or other Places in *Ireland*, unless in case of Distress, which shall be immediately made known to some one or more of the Officers of the Port nearest to the Place where such Vessel shall be stranded or put ashore, which Bond the Collector of the Port is hereby required and empowered to take, and the said Bond is hereby declared to be good and valid in Law for the Sum contained therein, then and upon Performance of these Requisites, the Owner or Person shipping off such Fish, shall in Three Months after the Exportation thereof, receive the Bounties payable thereon, from the Collector of the Port from whence the same shall be exported, any Thing in any other Law or Statute to the contrary thereof, in any wise notwithstanding.

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and Owner of said Fish becoming bound with 2 Sureties in treble the Value of Bounties not to re-land the Fish intended to be exported in any Port in *Ireland*, unless in case of Distress, and upon Performance of these Requisites the Owner in 3 Months after shall receive the Bounties payable thereon, from the Collector of the Port whence exported.

IV. And be it further Enacted by the Authority afore said, That if any Master or other Person, having charge of a Vessel in which any Fish shall be exported, and a Bounty claimed for the same, shall re-land, or permit or suffer any Fish, or any Part thereof, to be re-landed in this Kingdom, unless in case of actual

Any Person having charge of a Vessel and suffering Fish to be re-landed, unless in case of Distress, shall

T

Distress,

C H A P. XX. Distress; such Master or other Person having Charge of said Vessel, shall forfeit treble the Value of such Fish so re-landed; or permitted or suffered to be re-landed, and every Seaman or other Person, who shall assist in re-landing the same, shall forfeit the Sum of Ten Pounds, said Penalties to be sued for and recovered, by the same Ways and Means as Penalties are recoverable by the Act of the Fourteenth and Fifteenth of *Charles the Second*, commonly called the Act of Excise.

V. And be it Enacted by the Authority aforesaid, That no Owner or Owners of any Fish, shall be intitled to the Bounties given upon the Exportation thereof, unless such Fish shall be first landed in, and afterwards exported from some Port in this Kingdom.

VI. And whereas the Penalties to which Persons are liable by the Laws now in Force, for the Shooting or Wetting Nets, for the taking Herrings in the Day-time, have not been sufficient to restrain them from such Practice, which has been found extremely detrimental to the Herring Fisheries on the Coast of this Kingdom; for the more effectual deterring all Persons from committing such Offences; Be it enacted by the Authority aforesaid, That a Penalty of Twenty Pounds, shall be forfeited and paid by all and every the Person or Persons, who shall at any Time hereafter, shoot or Wet any Net or Nets, for the taking of Herrings in the Day-time, or be in any wise aiding or assisting in the same, that such Penalty shall and may be recovered against such Person or Persons, upon complaint,

Penalty of 20^l. shall be paid by every Person who shall shoot or wet any Net for taking of Herrings in the Day-time, or be assisting in the same;

plaint thereof, before any Justice of the Peace of the County next to the Place where such Offence shall be committed, or before any Justice of the Peace where such Offender or Offenders shall reside or be found, and shall and may be levied off the Goods and Chattels of such Offender or Offenders, by Warrant under the Hand and Seal of such Justice of the Peace, which Penalty shall be for the Use of the Person who shall sue for the same; and in case such Offender or Offenders shall on demand, refuse to pay such Penalty to such Justice of the Peace, or the Person whom he shall by his Warrant empower, to levy the same; and that no Goods or Chattels can be found of said Offender or Offenders, sufficient to Answer the same, that then it shall and may be lawful for such Justice of the Peace, to cause the said Offender or Offenders to be apprehended and committed to the common Gaol of the County where such Justice resides, there to remain without Bail or Mainprize for the Space of Six Months, or until he shall have paid such Penalty.

VII. And inasmuch as Persons are encouraged to the committing said Offences, from the Opportunities which they may have of escaping by Water from the Authority of such Justice of the Peace, Be it enacted by the Authority aforesaid, That it shall and may be lawful for the Person or Persons empowered to execute the Warrant of such Justice or Justices of the Peace, to board any Vessel in which they may have just Cause to suspect such Offender or Offenders to be harboured or concealed, and to apprehend such Offender or Offenders, wheresoever he or they may be found, so as that he or they may be made to suffer the Punishment afore-

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XX.
if Offender
refuse to pay
such Penalty,
and no Goods
found suffici-
ent to answer
the same, Jus-
tice of Peace
may commit
such Offender
to Gaol for
6 Months, or
until he pays
the Penalty.

Persons ex-
ecuting Justi-
ces Warrant,
may board any
Vessel and
bring Offend-
ers to Pun-
ishment;

C H A P. said; and all Magistrates and other Peace Officers, and
XX. also the Officers of his Majesty's Revenue, are hereby
 required to be aiding and assisting by all lawful Means,
 to the effectual carrying into Execution the Clauses
 aforesaid, for preventing the aforesaid pernicious prac-
 tice of fishing for, or taking Herrings in the Day-time,
 (that is to say,) between the First of *August*, and the
 First of *September*, from Four o'Clock in the Morning
 till Sun-set, and between the First of *October* and First
 of *August* from Sun-rise to Sun-set.

Magistrates,
 &c. to use
 their utmost
 Endeavours
 to prevent
 fishing for
 Herrings in
 the Day-time,
 &c.

Disputes
 arising be-
 tween Owners
 and Persons
 employed in
 Fishing, on
 Account of
 Wages, &c.
 which does
 not exceed 5*l*.
 and Com-
 plaints of
 Owners a-
 gainst the
 Hands em-
 ployed on
 Board said
 Vessels, shall
 be determined
 by any Justice
 of the Peace
 of the County
 where such
 Dispute shall
 arise.

VIII. And be it further enacted by the Authority
 aforesaid, That from thenceforth any Disputes or Dif-
 ferences which shall or may arise between the Persons
 engaged, on Board any of the Vessels employed in the
 Fisheries of this Kingdom, and the Owner or Master
 thereof, touching any Demands which such Persons
 may have against such Owners or Masters, for or on
 Account of their Wages or Shares of the Earnings of
 such Vessels, where such Demand does not exceed
 Five Pounds; and also all such Complaints of such
 Owners or Masters against any of the Persons or
 Hands engaged on Board said Vessels, for and on Ac-
 count of their absenting or withdrawing themselves
 from their Duty and Service on Board said Vessel, shall
 and may be determined by any of His Majesty's Justi-
 ces of the Peace for the County where such Disputes
 arise, who are hereby impowered to give such and
 the like Relief, and by such and the like Remedies and
 Means, and to inflict such and the like Penalties and
 Punishments as they are impowered to do in all Cases
 of Disputes between Masters and Servants, or Artifi-
 cers

cers and their Employers, by all or any of the Laws **C H A P.**
now in being. **XX.**

IX. Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend to restrain, prevent, or hinder any Officer or Officers of His Majesty's Revenue, who shall from Time to Time be deputed or appointed thereunto by the Chief Commissioners of the Excise for the Time being, or the major Part of them, from going on Board and entering into any Ship, Buss, or other Vessel whatsoever, as well by Night as by Day, arriving and coming into any Port, Harbour, Haven, Creek, or other Places, and to continue there on Board until such Ship, Buss, or other Vessel shall be fully unladen and discharged, or again re-loaded, in Pursuance of the Powers mentioned in this Act, but that it shall and may be lawful to and for such Officer and Officers to enter and go into any such Ship, Buss, or other Vessel, to see, survey, and make Search for any Goods or Commodities, either put on Board any such Ship, Buss, or other Vessel, or taken out, or carried away, or intended to be carried away, without due Entry first had and made of the same, or Payment of the Duties due and payable thereon, and to seize, attach, and carry away the same, in the same Manner, to all Intents and Purposes, as may be done by any Law, Act or Acts of Parliament now in Force in this Kingdom; any Thing herein contained to the contrary notwithstanding.

Revenue Officer
impower'd
by Commissi-
oners may go
on Board any
Ship, &c. and
continue, till
such Vessel
be unladen
and again re-
loaded:

X. And

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XX.

Bounties granted by 3 Geo. 3. cap. 24. sec. 5.

Said Bounties shall be paid in Proportion upon all Herrings and Mackarell exported in Casks of a lesser Size than 32 Gallons.

No Vessel to be entered at any Custom-house, unless the Name and Port She belongs to, be painted on the Transum and Quarters; and also upon the Boats, &c.

X. And whereas by the Act passed in the Third Year of the Reign of His present Majesty, intituled, *An Act for the Encouragement of the Fisheries of this Kingdom*; a Bounty is given of Two Shillings for every Barrel containing Thirty-two Gallons, wherein good, sound, and well-cured White Herrings shall be packed, upon the Exportation thereof as also a Bounty of Two Shillings and Six-pence on every Barrel of the same Contents, wherein good, sound, and well-cured Mackarell shall be packed, upon Exportation thereof; be it further enacted by the Authority aforesaid, That the said Bounties shall be paid in Proportion upon all such Herrings and Mackarell respectively, as shall be exported in Casks of a lesser Size than Thirty-two Gallons, upon the Exportation thereof.

XI. And to the End that the Vessels employed in the Fisheries of this Kingdom, may be the more readily known, and the Masters and Crews of such Vessels more easily brought to Punishment for any Offences committed by them, or any of them, against this Act, or the other Acts made for the Encouragement of said Fisheries, be it further enacted by the Authority aforesaid, That before any Person shall be permitted to enter a Vessel in any Custom-house for said Fisheries, the Owner of such Vessel, or his Agent, shall cause the Name of said Vessel, and the Port to which she belongs, to be painted in large Characters with White Lead and Oil, on the Transum and Quarters, of said Vessel, as also upon all Boats

Boats and Buoys belonging to the same; and the Collector shall cause the Number to be added to such Name, which Number shall be inserted in the Entry, and painted in like Manner on said Vessel, and on the Boats and Buoys belonging to her, which Names and Number shall not be obliterated, but kept fair and legible during the Time said Vessel shall remain at said Fishery; and in Case said Names and Number shall not be kept fair and legible as aforesaid, the Master or Chief Officer of said Vessel shall forfeit the Sum of Five Pounds Sterling, to be recovered and applied in the same Manner as the other Penalties in this Act.

XII. And for the more regular keeping the Journals of the Proceedings of such Fishing Vessels, be it further enacted by the Authority aforesaid, That at the Time any Vessel is entered for said Fisheries, the Collector or Comptroller, shall deliver to the Master or Chief Officer of said Vessel, a Blank Journal-Book signed by the said Collector or Comptroller, and ruled under distinct Heads, in which said Master or Chief Officer shall enter an Account of the Proceedings of said Vessel, the Soundings upon the Coast and Fishing Banks, the Quantity of Fish taken by said Vessel, and the Quantity bought, and the Times when, respectively; and said Master or Chief Officer shall make Oath, that every Proceeding contained in said Journal-Book (unless the same was immediately entered therein) was copied from the rough Journal kept by him, and transcribed from thence into said Book within Eight Days from the Time such Proceeding had happened.

XIII. And

C H A P.

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Penalty. 5l.

At the Entrance of any Vessel the Collector or Comptroller shall deliver a Blank Journal-Book, to Master, &c. in which shall be entered an Account of all the Proceedings of said Vessels, Soundings, &c.

C. H. A. P.

XX.

Every Vessel
at the Time
of entering
shall have on
Board Two
Half-Barrels,
to measure
Herrings
with.

XIII. And for the better ascertaining the Quantity of Herrings taken and bought, be it further enacted by the Authority aforesaid, That every Vessel, at the Time of her being entered for the Fisheries, shall have on Board Two Half-barrels, each containing Sixteen Gallons, with which shall be measured the Herrings taken and bought by her; And the Entry in the Journal of the Quantity of Herrings taken and bought, shall be by the Number of Barrels or Half-barrels, and not by Taile or Count.

Boats to have
Name of
Skipper paint-
ed on Stern,
Oars, and
Buoys,
registered,
&c.

XIV. And whereas a great Number of small Boats proceed every Year to the Fisheries on the Coasts of this Kingdom, and from the irregular Manner in which they shoot their Nets, the Fishery is greatly injured, and the Nets of other Fishermen are much damaged, and the Offenders cannot be discovered, so as to be brought to Justice; be it further enacted by the Authority aforesaid, That no Boat shall proceed to said Fisheries, unless the Name of the Skipper is painted in large Characters, with White Lead and Oil on the Stern of said Boat, as also on the Oars and Buoys belonging to her, which Boat, with the Name of the Skipper, shall be registered with some One of His Majesty's Justices of the Peace living in the Barony wherein said Skipper resides: And in Case any such Boat shall shoot any Net, or take any Fish without having the Skipper's Name painted, and being registered as aforesaid, the Skipper of said Boat shall forfeit the Sum of Forty Shillings, to be recovered and applied in the same Manner as the other Penalties in this Act; and any Justice of the

Penalty 40s.

Peace

Peace with whom such Boats shall be so registered, CHAP. XX.
shall return an Account of the same to the Collector of the District in which such Justice resides, within One Month after such Boats have been registered as aforesaid.

XV. And whereas the Harbours on the Coast of the County of *Donnegall* have been materially injured by the irregular Manner wherein Vessels resorting to the Fisheries thereon, throw out and unlade their Ballast; be it further enacted by the Authority aforesaid, That no Vessel shall throw out, or discharge her Ballast on any Part of the said Coast to the South-West of the Isle of *Arran*, except at such Places (all above Low-water Mark) as shall be directed and appointed from Time to Time by the Surveyor of the District of *Killibeggs*, nor on any Part of the said Coast to the North-East of the Isle of *Arran*, except at such Places (all above Low-water Mark) as shall from Time to Time be directed and appointed by the Tide-Surveyor of the Port of *Ballyrain*: And the Master or Chief Officer of any Fishing-Vessel, or the Skipper of any Fishing-Boat, who shall be convicted of having thrown out or discharged any Ballast, contrary to the Directions of this Act, shall forfeit the Sum of Five Pounds Sterling, for every such Offence, to be recovered and applied in the same Manner as the other Penalties in this Act are made recoverable and applicable.

No Vessel shall throw out her Ballast on any of the Places hereint mentioned, except at such Places as shall be directed by the Tide-Surveyor of Ballyrain;

Penalty 5*l*.

XVI. And be it further enacted by the Authority aforesaid, That any Person who shall drudge for, or take any Oysters in any Part of the Lough of *Carlingford*,
U

No Person to drudge for Oysters in the Lough of Car-

C H A P.

XX.

Carlingford, &c.
between 1st
Saturday in
Mar. and 1st
Monday in
November,
Net, &c. for-
feited, with
40s.

lingford, between the Bar of Carlingford and the Castle of Narrow-water, from and after the First Saturday in the Month of March, until the the First Monday in the Month of November in any Year, shall forfeit the Drudge-net, or other Machine with which the same shall be drudged for or taken, as also the Sum of Forty Shillings, to be recovered and applied in the same Manner as the other Forfeitures and Penalties in this Act.

Penalties imposed by this Act (except where otherwise directed) may be recovered before any Justice where the Offence is committed.

XVII. And be it further enacted by the Authority aforesaid, That the several Penalties and Forfeitures imposed by this Act, except where the same are otherwise appointed to be recovered, shall and may be recovered before any Justice of the Peace of the County where the Offence is committed, or wherein the Party or Parties do reside, and be levied by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hand and Seal of such Justice before whom the Offence shall be proved, by Confession, or on the Oath of One credible Witness, which said Penalties and Forfeitures when recovered, shall go to the Use of the Person or Persons who shall sue for the same within Twelve Calendar Months next after the Offence has been committed.

XVI. And be it further enacted by the Authority aforesaid, That any Person who shall drudge for or take any Oysters in any Part of the Bough of Carlingford, shall forfeit the Sum of Forty Shillings, to be recovered and applied in the same Manner as the other Penalties in this Act are made recoverable and applicable.

CLAUSE

(155)

Anno Regni septimo & octavo

GEORGIUS III. Regis.

C L A U S E

O F A N

A . C . T

F O R

Reviving and continuing several Temporary
Statutes.

C H A P. XXXVI.

—AND be it further enacted by the Authority C H A P.
aforesaid, That an Act passed in this King- XXXVI.
dom in the Third Year of the Reign of His present
Majesty, intituled, *An Act for the Encouragement of* ^{3 Geo. 3 cap. 24.}
the Fisheries of this Kingdom; and also an Act passed ^{5 Geo. 3, cap. 7.}
in the Fifth Year of the Reign of His present Ma-
jesty, intituled, *An Act for explaining and amending an*
Act for the Encouragement of the Fisheries of this
Kingdom;

CHAP. Kingdom; and also a Clause in an Act passed in the Se-
 XXXVI. venth Year of the Reign of His present Majesty, intituled, *An Act for continuing, reviving, and amending several Temporary Statutes, and other Purposes therein mentioned*; whereby the said Two before recited Acts of the Third and Fifth Years of the Reign of His present Majesty, are amended, shall be and continue in Force, until the First Day of *January*, One thousand seven hundred and ninety, and from thence to the End of the then next Session of Parliament.

and 7 Geo.
 3, cap. 20,
 sec. 10.
 continued to
 1 Jan. 1790,
 and to the
 End of next
 Session.

FINIS

